

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:42 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Doodle pool for Tretaed seed meeting with EPA
Attachments: 2014-02-07, FINAL List of Treated Seed tag statements.pdf

E-mail # 1

From: Shah, Fawad - AMS
Sent: Tuesday, March 25, 2014 10:11 AM
To: Irwin, Jerry - AMS
Cc: Arthen, Matthew - AMS
Subject: FW: Doodle pool for Tretaed seed meeting with EPA

This may pertain to FOIA request.

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]
Sent: Tuesday, March 18, 2014 2:00 PM
To: Shah, Fawad - AMS
Subject: RE: Doodle pool for Tretaed seed meeting with EPA

Dear Fawad,

I appreciate all your contributions to this project. I just want to check with you if you would be available to call in during the meeting with EPA on March 26th.

Also, I believe that the team finalized the list of statements that we believe pertain to the seed tag/bag.

I would like to ask you if you could review once more these statements, and let us know if you believe that we covered all the requirements of the Federal Seed Act or we have any gap to fulfill the requirements of FAS.

If you would prefer, I can give you a call to discuss the statements in attach. I will be glad to contact you.

Any comment will be welcome.

Thank you in advance.

Best regards,

Miriam Frugis
Federal Registration Manager



Bayer CropScience

Science For A Better Life

Bayer CropScience LP
2 T.W. Alexander Drive
Research Triangle Park, NC 27709
Tel: 919 549 2756
Cell: (b) (6)
E-mail: miriam.frugis@bayer.com
Web: <http://www.bayercropscience.com>

From: Shah, Fawad - AMS [<mailto:Fawad.Shah@ams.usda.gov>]
Sent: Monday, March 03, 2014 9:18 AM
To: Miriam Frugis
Subject: RE: Doodle pool for Tretaed seed meeting with EPA

Hi Miriam,

I have another meeting scheduled for this time. Please let me know if you need information in addition to what I have already sent.

Thank you,
-Fawad



Fawad S. Shah, Ph.D. | Director

Seed Regulatory and Testing Division | 801 Summit Crossing Place, Suite C | Gastonia, NC 28054

Direct: 704-810-8884 | Cell: (b) (6) | Main: 704-810-8871 | Fax: 704-852-4109

fawad.shah@ams.usda.gov | www.ams.usda.gov/seed

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]
Sent: Sunday, March 02, 2014 7:27 PM
Subject: Doodle pool for Tretaed seed meeting with EPA

Dear All,
Please let me know as soon as possible if you are able to meet with EPA at the date March 26 during the afternoon.
Thank you very much for your attention.

Best regards,

Miriam Frugis
Federal Registration Manager



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TREATED SEED TAG/BAG STATEMENTS

A. STATEMENTS TO RETAIN ON SEED TAG/BAG:

a) General:

- This seed has been treated with **XXX** (name of active ingredients).
- Do not use treated seed for feed, food or oil purpose.
- Wear long-sleeved shirt, long pants, shoes, socks, and chemical-resistant gloves when handling treated seed.
- Treated seeds must be planted at a minimum depth of **X** inches.
- Treated at manufacturer's recommended rate¹.
- Treated with "Poison". ² (in red)
- "TREATED SEED", plus signal word for category of treatment material³.

b) Stewardship Statements:

- Storage and Disposal: Store treated seed away from food and feed, and do not allow access by children, pets, or livestock. Do not reuse or refill empty seed bags, and dispose of treated seed bags in accordance with local requirements.
- Do not contaminate bodies of water when disposing of excess treated seed or wash waters of planting equipment. Dispose of them in accordance with local requirements.

¹ State of Florida requirement

² State of Florida requirement

³ State of California requirement

- Exposed treated seeds may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting.

c) Compound-Specific Seed Tag Statements (as applicable):

- This compound is highly toxic to bees exposed directly (contact). Ensure that planting equipment is functioning properly in accordance with manufacturing recommendations to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds⁴.
- To reduce seed dust which can drift onto blooming crops or weeds, ensure that planting equipment is functioning properly in accordance with manufacturer's recommendations. Surplus seed or empty seed containers should be stored or disposed according to local federal regulations⁵.
- Grazing Restriction statement
- Plant Back Restriction statement

B. STATEMENTS FOR FURTHER DISCUSSION:

- Excess treated seed may be used for ethanol production only if:
(1) By-products are not used for livestock feed, and
(2) No measurable residues of pesticides remain in ethanol by-products that are used for agronomic practice.

⁴ Consistent neonicotinoid-specific seed tag language to be vetted with Agency in near future

⁵ Ditto

C. STATEMENTS WE FEEL SHOULD NOT BE ON THE SEED TAG/BAG:

- E-fate related statements, for example: This product contains X that is known to leach through soil into groundwater under certain conditions as result of agricultural use. Use of this product in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.
- Regardless of the type of application (seed treatment, soil or foliar), do not apply more than a total of X or (Y gram) (active ingredient) per acre per crop season.
- "mg a.i./seed" in the use directions and seed bag tag: "if seed size is XX seeds/lb. (XXY lbs./U), ZZ fl oz. a.i./cwt. would provide YY mg a.i./seed."
- After seeds have been planted, do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of X hours. Exception: Once seeds are planted and covered by soil or other planting media, the Worker Protection Standard (WPS) allows workers to enter the treated area without restriction.

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:43 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Treated Seed Tag/Bag Initiative - EPA meeting April 16
Attachments: 2014-03-26 Treated Seed Tag Initiative-Meeting Minutes.docx

E-mail # 2

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]
Sent: Friday, March 28, 2014 4:12 PM
To: Clive Halder; patrick.mccain@syngenta.com; GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Nichols, Lisa (Lisa.Nichols@cpsagu.com); Pearson, Randy (RPEARSON@growmark.com); richard@aradc.org; sue.shen@valent.com; Thomson, Craig (craig.thomson@pioneer.com); Burton, Roger - AMS; Thomson, Craig (craig.thomson@pioneer.com)
Cc: rncallister@croplifeamerica.org; Jane DeMarchi (jdemarchi@amseed.org); alavigne@amseed.org; Shah, Fawad - AMS
Subject: Treated Seed Tag/Bag Initiative - EPA meeting April 16

Dear All,

Thank you very much for your participation on our meeting with EPA last Wednesday. It was a very productive meeting with a positive outcome.

As we discussed during the meeting, EPA is favorable for a follow up meeting in 3 weeks to continue the statements and prepare an implementation plan for the statements that we have made a decision.

Therefore, I have just confirmed our follow up meeting with EPA for **April 16, from 3 - 5 pm** at EPA office.

During this meeting we will have some the SLA present in person. In addition to that we will have the following attendees from EPA:

EPA:

- Jeff Herndon
- Meredith Laws
- Marietta Echeverria
- Cynthia Giles-Parker
- Tony Kish
- Venus Eagle
- Karen Samek
- Julie Chao
- Jennifer Urbanski

State regulators

- Danny Turner (danny.turner@ncagr.gov)
- Laura Quakenbush (laura.quakenbush@state.co.us)
- Charlie Clark – Florida; Charlie.Clark@FreshFromFlorida.com;
- Liza Fleeson – Virginia; liza.fleeson@vdacs.virginia.gov;
- Dave Scott – Indiana; scottde@purdue.edu;

Please let me know if you will be able to attend in person or you will call in.

I also prepared the minutes first draft. Please review this document and let me know your comments or if I missed any important point.

I will prepare the final Statement document after receiving your comments on the minutes

Thank you.

Best regards,

Miriam Frugis
Federal Registration Manager



Bayer CropScience

Science For A Better Life

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2nd Meeting: Treated Seed Tag/Bag Initiative

Date: March 26, 2013 (3:00 to 5:00 pm)

Attendees:

- Burton, Roger – USDA (call-in)
- Chao, Julie – EPA/RD
- Clark, Charlie – FL Dept of Agriculture (call-in)
- Echeverria, Marietta – EPA/RD
- Frugis, Miriam – Bayer
- Greminger, Jennifer – Monsanto Co
- Gupton, Richard – ARA
- Halder, Clive – Bayer
- Herndon, Jeff - EPA/RD
- Kish, Tony – EPA/RD
- McCain, Patrick – Syngenta
- Nichols, Lisa – Loveland/CPS
- Pearson, Randy – GROWMARK
- Quakenbush, Laura – CO Dept of Agriculture (call-in)
- Samek, Karen – EPA/RD
- Scott, Dave– Indiana State Ag Dept (call-in)
- Shen, Sue – Valent
- Thomson, Craig – DuPont/Pioneer (call-in)
- Turner, Danny – NC Dept of Agriculture (call-in)
- Urbanski, Jennifer – EPA/RD

Meeting Agenda:

- Introductions
- Objectives
- Decision on seed treated tag/bag statement list (items A and C of Statement List, then followed by B)
- Discussion on statement “mg of active ingredient/seed”
- Next Steps
- Conclusions

Minutes

After the introductions, Jeff Herndon explained the expectations of this meeting. The main objectives were to review and make a decision on the proposed statements for the seed tag/bag. The review was focused items A and C, followed by item B.

Each statement below is followed by the decision or specific comments from the team.

A. STATEMENTS TO RETAIN ON SEED TAG/BAG:

a) General:

- This seed has been treated with **XXX** (name of active ingredients). – **Retain - required by the Federal Seed Act**
- Do not use treated seed for feed, food or oil purpose. – **Retain - required by the Federal Seed Act**
- "Poison" (in red and > 8 points) and Skull Crossbones symbol for mercurials compounds - **Retain - required by the Federal Seed Act - Roger Burton/USDA commented that Federal Seed Act/ USDA interpret those toxic compounds are synonymous to Toxicity Category I.**
- Wear long-sleeved shirt, long pants, shoes, socks, and chemical-resistant gloves when handling treated seed. – **Retain – Tony Kirsh/ EPA commented that this statement can vary according to label requirements in the RED depending on the compound. Jeff Herndon commented that the phrase seems to be appropriated, that he would go back to HED to confirm.**
- Treated seeds must be planted at a minimum depth of **X** inches. - **Retain**
- Treated at manufacturer's recommended rate. – Florida State requirement – **Pending decision - Charlie Clark will give us an interpretation according to the Florida Seed Statute.**
- Treated with "Poison". (in red) – Florida State requirement – **same as above.**
- "TREATED SEED", plus signal word for category of treatment material – California State requirement - **Pending decision – The team pointed out that the signal word is referring to the chemical that is treating the seed, which it does not make sense to have it on seed bag. Jeff Herndon will contact CA-DPR for clarification and interpretation.**

b) Stewardship Statements:

- Storage and Seed Bag Disposal: Store treated seed away from food and feed, and do not allow access by children, pets, or livestock. Do not reuse or refill

empty seed bags, and dispose of treated seed bags in accordance with local requirements. **Retain**

- Do not contaminate bodies of water when disposing of excess treated seed or wash waters of planting equipment. Dispose of them in accordance with local requirements. **Retain**

- Exposed treated seeds may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting. **Retain**

c) Compound-Specific Seed Tag Statements (as applicable):

- "Poison" (in red and > 8 points) and Skull Crossbones symbol for mercurials compounds. **Retain – See comment in item A.**

- Randy Pearson pointed out that the two next statements are similar and need to be re-phrased to simplify the tag message. The team agreed to combine the two statements. In addition to that, the phrase: *"Surplus seed or empty seed containers should be stored or disposed according to local or federal regulations"*, will be moved to Stewardship statement section.

- *This compound is highly toxic to bees exposed directly (contact). Ensure that planting equipment is functioning properly in accordance with manufacturing recommendations to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds.*

- *To reduce seed dust which can drift onto blooming crops or weeds, ensure that planting equipment is functioning properly in accordance with manufacturer's recommendations. Surplus seed or empty seed containers should be stored or disposed according to local or federal regulations.*

- Grazing Restriction statement - **Retain**

- Plant Back Restriction statement - **Retain**

C. STATEMENTS WE FEEL SHOULD NOT BE ON THE SEED TAG/BAG:

- E-fate related statements, for example: This product contains X that is known to leach through soil into groundwater under certain conditions as result of agricultural use. Use of this product in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. **– Agreed to eliminate**

- For the next two statements, the team discussed the possibility to replace them in the seed tag, by a general statement: "Do not exceed X amount of seed rate per acre". There is an agreement that the two next statements pertain to the jug label and not the seed tag. A new proposal of this a statement will be available for the next meeting.
- *Regardless of the type of application (seed treatment, soil or foliar), do not apply more than a total of X or (Y gram) (active ingredient) per acre per crop season.*
- *"mg a.i./seed" in the use directions and seed bag tag: "if seed size is XX seeds/lb. (XXY lbs./U), ZZ fl oz. a.i./cwt. would provide YY mg a.i./seed."*
- After seeds have been planted, do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of X hours. Exception: Once seeds are planted and covered by soil or other planting media, the Worker Protection Standard (WPS) allows workers to enter the treated area without restriction.
Agreed to eliminate

B. STATEMENTS FOR FURTHER DISCUSSION:

- Excess treated seed may be used for ethanol production only if:
 - (1) By-products are not used for livestock feed, and
 - (2) No measurable residues of pesticides remain in ethanol by-products that are used for agronomic practice.

The team explained that there is only a plant in Kansas that may be affected by this statement. The team discussed the possibility to re-phrase the statement to make it specific to corn seed, and therefore giving the grower the option to incinerate the excess of treated seeds. A new statement will be proposed for this case.

Next Steps

- A new meeting will be schedule in 3 weeks to work on an implement plan of the Statements that we have defined during this meeting.
- Miriam Frugis/ Bayer will prepare a new document that captures the suggestions of new statements, discuss with the CLA team and bring a proposal for next meeting.
- During the next meeting, the team will discuss the plan to evaluate the compound specific statements by class of products.

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:43 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Doodle pool for Tretaed seed meeting with EPA

E-mail # 3

From: Miriam Frugis [mailto:miriam.frugis@bayer.com]
Sent: Wednesday, March 19, 2014 10:36 AM
To: Shah, Fawad - AMS
Cc: Burton, Roger - AMS
Subject: RE: Doodle pool for Tretaed seed meeting with EPA

Dear Fawad,
I will provide a call in number as soon as I receive it from EPA.
Thank you very much for your input below, it is very helpful.

I will contact you soon.

Best regards,

Miriam Frugis
Federal Registration Manager



Science For A Better Life

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2 T.W. Alexander Drive
Research Triangle Park, NC 27709
Tel: 919 549 2756
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Web: <http://www.bayercropscience.com>

From: Shah, Fawad - AMS [mailto:Fawad.Shah@ams.usda.gov]
Sent: Wednesday, March 19, 2014 10:21 AM
To: Miriam Frugis
Cc: Burton, Roger - AMS
Subject: RE: Doodle pool for Tretaed seed meeting with EPA

Hello Miriam,

Please send me call-in information, I'll participate if my calendar opens up for March 26. Meanwhile, please see my comments in blue font.

This seed has been treated with XXX (name of active ingredients). **This statement is in accordance with FSA Regulations 201.31(a)(b)**

Do not use treated seed for feed, food or oil purpose. **This statement is in accordance with FSA Regulations 201.31(d)**

Treated with "Poison" (in red) : **This statement is in accordance with FSA Regulations 201.31(c)**

Rest of the information in your document may be put on the label as long as the information on the label is not misleading. **FSA Regulation 201.8.** Hope this is helpful. Let me know if there are any questions.

Kind regards,
-Fawad



Fawad S. Shah, Ph.D. | Director

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fawad.shah@ams.usda.gov | www.ams.usda.gov/seed

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]
Sent: Tuesday, March 18, 2014 2:00 PM
To: Shah, Fawad - AMS
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Dear Fawad,

I appreciate all your contributions to this project. I just want to check with you if you would be available to call in during the meeting with EPA on March 26th.

Also, I believe that the team finalized the list of statements that we believe pertain to the seed tag/bag.

I would like to ask you if you could review once more these statements, and let us know if you believe that we covered all the requirements of the Federal Seed Act or we have any gap to fulfill the requirements of FAS.

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Any comment will be welcome.

Thank you in advance.

Best regards,

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E-mail # 4

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To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Treated Seed Tag/Bag Initiative

E-mail # 5

From: patrick.mccain@syngenta.com [mailto:patrick.mccain@syngenta.com]
Sent: Tuesday, February 18, 2014 10:31 AM
To: miriam.frugis@bayer.com; Shah, Fawad - AMS; rmcallister@croplifeamerica.org; Richard@aradc.org; sue.shen@valent.com; Gordon.Sargent@basf.com; clive.halder@bayer.com; alavigne@amseed.org; jennifer.m.greminger@monsanto.com
Cc: Irwin, Jerry - AMS
Subject: RE: Treated Seed Tag/Bag Initiative

Thanks Miriam,

I think we need to determine if the FSA's interpretation of Poison is different, and supersedes Florida's requirement. I interpreted the Florida requirement to cover any seed treated with a pesticide seed treatment as requiring the poison statement, regardless if the seed treatment pesticide in Category 1 or not. Thoughts?

Pat

From: Miriam Frugis [mailto:miriam.frugis@bayer.com]
Sent: Tuesday, February 18, 2014 10:03 AM
To: Shah, Fawad - AMS; rmcallister@croplifeamerica.org; Richard Gup-ton; sue.shen@valent.com; Gordon Sargent (Gordon.Sargent@basf.com); Clive Halder; Andrew Lavigne (alavigne@amseed.org); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); McCain Patrick USGR
Cc: Irwin, Jerry - AMS
Subject: RE: Treated Seed Tag/Bag Initiative

Fawad,

Thank you very much for sending Federal Seed Act labeling requirements for treated seed. It was very useful for the interpretation of Florida State requirement for the statement: "Poison treated".

Dear All,

The FSA on Section 201.31a (c) (1) requires similar statement only for "Seed treated with a mercurial or similarly toxic substance; that is EPA Tox Category I.

In these cases, treated seed tag/bag should have: a representation of a skull and crossbones, and one of the statements "This seed has been treated with Poison," "Treated with Poison," "Poison treated," or "Poison." The word "Poison" shall appear in type no less than 8 point.

Therefore, we should consider that the statement "Poison Treated" will be used only when the seeds are treated with a pesticide in Category I.

Best regards,

Miriam Frugis
Federal Registration Manager



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Cc: Targem, Joseph - AMS
Subject: FW: Treated Seed Tag/Bag Initiative

3-Mail 3

From: Shah, Fawad - AMS [<mailto:Fawad.Shah@ams.usda.gov>]
Sent: Tuesday, February 18, 2014 8:41 AM
To: rmcallister@croplifeamerica.org; Miriam Frugis; Richard Gupton; sue.shen@valent.com; Gordon Sargent (Gordon.Sargent@basf.com); Clive Halder; Andrew Lavigne (alavigne@amseed.org); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); patrick.mccain@syngenta.com
Cc: Irwin, Jerry - AMS
Subject: RE: Treated Seed Tag/Bag Initiative

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From: Ray McAllister [<mailto:RMcAllister@croplifeamerica.org>]
Sent: Tuesday, February 18, 2014 8:39 AM
To: Shah, Fawad - AMS; Miriam Frugis; Richard Gupton; sue.shen@valent.com; Gordon Sargent (Gordon.Sargent@basf.com); Clive Halder; Andrew Lavigne (alavigne@amseed.org); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); patrick.mccain@syngenta.com
Cc: Irwin, Jerry - AMS
Subject: RE: Treated Seed Tag/Bag Initiative

I assume this May 2009 document is the most recent?

Ray S. McAllister, PhD
Senior Director, Regulatory Policy
CropLife America
202-872-3874 (office)
(b) (6) (cell)
ray@croplife.us

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Kind regards,
-Fawad



Fawad S. Shah, Ph.D. | Director

Seed Regulatory and Testing Division | 801 Summit Crossing Place, Suite C | Gastonia, NC 28054

Direct: 704-810-8884 | Cell: (b) (6) | Main: 704-810-8871 | Fax: 704-852-4109

fawad.shah@ams.usda.gov | www.ams.usda.gov/seed

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]

Sent: Monday, February 17, 2014 12:59 PM

To: Richard Gupton; sue.shen@valent.com; Gordon Sargent (Gordon.Sargent@basf.com); Clive Halder; Andrew Lavigne (alavigne@amseed.org); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Shah, Fawad - AMS; patrick.mccain@syngenta.com; rmcallister@croplifeamerica.org

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Let me know if this information helps you. Please feel free to contact me.

Best regards,

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Bayer CropScience

Science For A Better Life

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Richard

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Subject: Treated Seed Tag/Bag Initiative

When: Thursday, February 13, 2014 11:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Conf Call

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Please call using the numbers below:

Information for the Conference call:

Call: (b) (5) (for US calls)
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Access Code: (b) (5)

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If you have any question or would like to add any other topic to this agenda, please let me know.
Thank you in advance.

Best regards,

Miriam

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:45 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Treated Seed Tag/Bag Initiative

E-mail # 6

From: Miriam Frugis [mailto:miriam.frugis@bayer.com]
Sent: Tuesday, February 18, 2014 10:03 AM
To: Shah, Fawad - AMS; rmcallister@croplifeamerica.org; Richard Gup-ton; sue.shen@valent.com; Gordon Sargent (Gordon.Sargent@basf.com); Clive Halder; Andrew Lavigne (alavigne@amseed.org); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); patrick.mccain@syngenta.com
Cc: Irwin, Jerry - AMS
Subject: RE: Treated Seed Tag/Bag Initiative

Fawad,
Thank you very much for sending Federal Seed Act labeling requirements for treated seed. It was very useful for the interpretation of Florida State requirement for the statement: "Poison treated".

Dear All,
The FSA on Section 201.31a (c) (1) requires similar statement only for "Seed treated with a mercurial or similarly toxic substance; that is EPA Tox Category I.
In these cases, treated seed tag/bag should have: a representation of a skull and crossbones, and one of the statements "This seed has been treated with Poison," "Treated with Poison," "Poison treated," or "Poison." The word "Poison" shall appear in type no less than 8 point.

Therefore, we should consider that the statement "Poison Treated" will be used only when the seeds are treated with a pesticide in Category I.

Best regards,

Miriam Frugis
Federal Registration Manager



Science For A Better Life

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Cell: (b) (6)
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Let me know if you have questions. Thanks!

Richard

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Best regards,

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Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:45 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Treated Seed Tag/Bag Initiative
Attachments: 2014-02-07, FINAL List of Treated Seed tag statements.pdf

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From: Richard Gupton [mailto:Richard@aradc.org]
Sent: Friday, February 14, 2014 2:48 PM
To: Miriam Frugis; Clive Halder; Ray McAllister (RMcAllister@croplifeamerica.org); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); patrick.mccain@syngenta.com; sue.shen@valent.com; Andrew Lavigne (alavigne@amseed.org); Fawad Shah (fawad.shah@ams.usda.gov); 'Gordon Sargent (Gordon.Sargent@basf.com)'
Subject: RE: Treated Seed Tag/Bag Initiative

Miriam

Thank you for the conference call summary! ARA will try to provide a few names by the end of next week so they can be included in future discussions.

If I obtain any additional feedback / input from members I will forward them along as well. I am out of the office on travel next week but available by email and mobile phone # (b) (6) Thanks!

Best regards,

Richard

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]

Sent: Friday, February 14, 2014 2:40 PM

To: Clive Halder; Ray McAllister (RMcAllister@croplifeamerica.org); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); patrick.mccain@syngenta.com; sue.shen@valent.com; Richard Gupton; Andrew Lavigne (alavigne@amseed.org); Fawad Shah (fawad.shah@ams.usda.gov); 'Gordon Sargent' (Gordon.Sargent@basf.com)

Subject: RE: Treated Seed Tag/Bag Initiative

Thanks Ray, Pat and Andy for attending the conference call yesterday.

Here it is a summary from our discussions:

1. Positive feedback from ASTA stakeholders for the standardized statement proposal during ASTA conference in December, Chicago, IL.
2. ASTA will provide the name of couple of stakeholders by Feb 19, so we can invite them to join the next round of discussions with EPA.
3. Feedback on statement mg/seed.
 - a. Ray suggested to complete the statement with: max of lb of ai/year regardless of foliar, soil or seed treatment application or trade name of the a.i.
 - b. Richard provided ARA feedback on a separate e-mail below:
4. Florida State requirement: we will add the statement to the final list : "poison treated" (in red).
5. Miriam will contact Jeff Herndon to check EPA availability for a second meeting to discuss our proposal, downstream treaters and stewardship practices.

If you have any question, please let me know.

Best regards,

Miriam Frugis

Federal Registration Manager



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2 T.W. Alexander Drive
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Tel: 919 549 2756

Cell: (b) (6)

E-mail: miriam.frugis@bayer.com

Web: <http://www.bayercropscience.com>

-----Original Appointment-----

From: Miriam Frugis

Sent: Tuesday, January 21, 2014 5:39 PM

To: Miriam Frugis; Clive Halder; Ray McAllister (RMcAllister@croplifeamerica.org); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); patrick.mccain@syngenta.com; sue.shen@valent.com; richard@aradc.org; Andrew Lavigne (alavigne@amseed.org); Fawad Shah (fawad.shah@ams.usda.gov); Gordon Sargent (Gordon.Sargent@basf.com)

Subject: Treated Seed Tag/Bag Initiative

When: Thursday, February 13, 2014 11:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Conf Call

Dear All,

I would like to have this conference call to continue our discussions on "Treated Seed Tag/Bag" statements before we can set up another meeting with Jeff Herndon and the EPA staff. According to our last meeting, we intend to meet with EPA during the 1st quarter of 2014, to have EPA's commitment to standardize the Seed bag/tag labels.

Please call using the numbers below:

Information for the Conference call:

Call: (b) (5) (for US calls)
(b) (5) (International calls)

Access Code: (b) (5)

We had several actions from our last meeting (in Nov 7, 2013) that I suggest to be part of the agenda for this conference call:

1. Richard and Andy will discuss the standardized statement proposal with members of ARA and ASTA, respectively. These discussions will happen during November and December. Please provide feedback.
2. Richard and Andy will also identify a couple of stakeholders and invite them to join the next round of discussions with EPA.
3. Miriam and Clive will prepare 1 page summary regarding the statement mg/seed (done). This issue will be discussed among the ARA, ASTA and CLA for feedback. The document is in attach for your reference and feedback:

<< File: 2013-12-03 CLA TREATED SEED TAG INTIATIVE.docx >>

In addition to that, I also would like to discuss the statement from Florida State that we have not taken into account in our discussions:

<< OLE Object: Picture (Device Independent Bitmap) >>

If you have any question or would like to add any other topic to this agenda, please let me know.

Thank you in advance.

Best regards,

Miriam

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:48 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Treated seed tag/bag - Meeting with EPA minutes
Attachments: 2013-10-21 Seed Tag Meeting minutes.docx

E-mail # 9

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]
Sent: Monday, November 04, 2013 9:32 AM
To: rncallister@croplifeamerica.org; GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Kent Ediger (kent.ediger@monsanto.com); patrick.mccain@syngenta.com; Clive Halder; richard@aradc.org; Andrew Lavigne (alavigne@amseed.org); sue.shen@valent.com
Cc: Shah, Fawad - AMS
Subject: Treated seed tag/bag - Meeting with EPA minutes

Good morning,

Please find in attach the minutes from our meeting with EPA last October 21st for comments.

Last Friday, I sent a pool to set up a conference call on this coming Tuesday or Thursday to discuss the minutes before sending the document to EPA.

I will send a final invite for the conference call after you answer back the pool.

Thank you in advance.

Best regards,

Miriam Frugis

Federal Registration Manager



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For alternate languages please go to <http://bayerdisclaimer.bayerweb.com>

Meeting: Treated Seed Tag/Bag Initiative

Date: October 21, 2013 (3:00 to 5:00 pm)

Attendees:

- Jeff Herndon -EPA/RD
- Danny Turner – NC Dept of Agriculture (call-in)
- Laura Quakenbush – CO Dept of Agriculture (call-in)
- John Scott – CO Dept of Agriculture (call-in)
- Cynthia Giles-Parker – EPA/RD
- Tony Kish – EPA/RD
- Venus Eagle – EPA/RD
- Ray MacAllister - CLA
- Kent Ediger – Monsanto Co
- Jennifer Greminger – Monsanto Co
- Sue Shen – Valent
- Pat McCain – Syngenta
- Andy LaVigne – ASTA
- Richard Gupton – ARA
- Miriam Frugis – Bayer
- Clive Halder – Bayer

Meeting Agenda:

- Introductions
- Expectations
- Industry view – Industry presentation
- Discussion on seed treated tag/bag statement lists
- Next Steps: Identify when continuing to discuss statement list, Seed Treatment Systems and modernization of label communication processes
- Conclusions

Minutes:

After the introductions, Jeff Herndon explained that he expected a brainstorm with SLA and Industry stakeholders to improve the current issues related to the treated seed tag/bag. From his perspective, besides the language complexity on the treated seed tag/bag, there is also the availability of the most current tag to the farmer. Printed material is required 1 year ahead the seed products arrive to farmers. At this moment, the final treated seed labeling can be out-of-date and leading to product misuse. As alternative, he suggested that the use of electronic labeling will help to keep the farmer informed with the most up to date EPA information on the label. Jeff also mentioned that the information required by the seed treaters is different from farmers.

Tony Kish commented on his expectation to simplify the message on the treated seed tag/bag. He acknowledged that there is too much information on the tag that makes it difficult to read and implement recommendations.

Venus Eagle commented on her concern to ensure that the EPA required statements will be available on the treated seed tag/bag for the user downstream. She mentioned that information can be lost with the repacking of bulk treated seed.

Clive Halder gave a brief background information on the industry workgroup. This working group has been established by CLA to discuss this specific topic a couple of years ago. The goal is to discuss consistency and less redundancy of language on treated seed tag/bag. The team final objective is to ensure that right message is delivered to right audience through the treated seed tag. The WG is formed not only from participants of crop protection industry, but also from seed companies, retailers and USDA members.

Clive Halder proceeded with the presentation "Seed Tag Concerns" that was available for the meeting participants. During the presentation the main discussions and comments were as follow:

- SLA representatives commented that treated seed are considered treated articles. Therefore, no enforcement action is conducted on treated seed bag/tags, as they are not under FIFRA jurisdiction. However, they see an issue to determine which part of the supply chain of seed is liable in case of issues with the seed (ex. failure to the crop reach seed germination rates).

Seed companies clarified that they have a technology agreement use signed off by distributors when licensing the seed, which contains a stewardship program for the seed used by farmers.

It was also clarified that retailers provide new tags when downstream treatment are performed as part of the stewardship program for the seed.

- After compiling all the treated seed tag/bag statements required by EPA, CLA divided the statements in 3 different categories:

1) Statements to retain on Seed Tag/Bag

- a. General Statements required by Seed Act, State Legislations and OSHA.
All participants agreed that these Statements are mandatory
- b. Stewardship Statements – EPA agreed with these statements
- c. Compound Specific Seed Tag Statements (as they are applicable for certain active ingredients) – EPA needs to define triggers to these statements.

2) Statements that need further discussion

- Treated seed disposal statements – EPA commented that there is no disposal mechanism for excess of treated seed. Excess of treated corn seed or its by-products can end up being used as animal feed. Therefore, EPA is requesting an additional statement saying: "Excess treated seed may be used only for ethanol production only..."

CLA commented that there are only 2 ethanol producers and communication with these 2 producers can be done without the statement on the treated seed tag, as there is the obligation to add the statement "do not use treated seed for feed, food or oil purpose."

3) Statements that should not be on the Seed Tag/Bag.

- Practicality of Message – Application Rate per Seed. EPA was requiring that treated seed tags contain the amount of applied ai/seed so farmers would be able to calculate the max amount of ai per acre per year or season. CLA suggested that, as the basic need for knowing the amount of a.i. on treated seed is to ensure that all uses collectively fall within the established risk cup, then a more practical approach of addressing this is:

To include **on the end-use product label**, along with the usual annual maximum application, another maximum per annum rate that takes into account the amount that is allowed to be applied via non-seed treatment should the product also have been applied as a seed treatment. If a grower has both application types, then his/her maximum allowable rate will be the lesser of the two per year maximums.

This way, it would not be necessary to add "mg a.i./seed statements on the seed tag, which is viewed as an impractical means of relaying the message

- EPA the proposed that the statements presented should be part of the label manual after further discussions.

Actions & Next Steps:

- CLA to send to EPA the spreadsheet containing all of the collected seed bag statements that are currently required.
- CLA and Jeff to schedule next meeting to continue discussions. The primary focus of the next meeting is to reach consensus around the proposals presented by CLA at this first meeting.
- SLAs would like to have examples of agreement between companies and farmers. CLA members to discuss.
- CLA to invite USDA to next meeting.
- Future meetings will focus on discussing the unresolved 'Seed Systems' and looking into electronic information transfer ideas/ opportunities.

Comment [Clive1]: Already done in first meeting

Comment [Clive2]: Don't know what this is about; it is neither an action nor 'next step'.

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:49 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date

FYI – pertaining to FOIA request.

From: Miriam Frugis [mailto:miriam.frugis@bayer.com]
Sent: Wednesday, September 11, 2013 1:28 PM
To: Andy LaVigne; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; rmcallister@croplifeamerica.org; Shah, Fawad - AMS; patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com)
Cc: Clive Halder; Lisa Nichols; Bernice Slutsky
Subject: RE: Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date

Dear All,

The EPA meeting with Jeff Herndon is confirmed for **October 21th from 3:00 to 4:00 pm** (with the option to extend the meeting until **5:00 pm**).

Thank you for your attention.

Best regards,

Miriam Frugis

Federal Registration Manager



Bayer CropScience

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E-mail: miriam.frugis@bayer.com

Web: <http://www.bayercropscience.com>

Please visit our anniversary website:

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From: Miriam Frugis
Sent: Tuesday, September 03, 2013 12:35 PM
To: 'Andy LaVigne'; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; Ray McAllister (RMcAllister@croplifeamerica.org); Fawad Shah (fawad.shah@ams.usda.gov); patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com)
Cc: Clive Halder; Lisa Nichols; Bernice Slutsky
Subject: Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date
Importance: High

Dear All,

Per Andy's message below, we will need to re-schedule the meeting with Jeff Herndon..

I am sending a file with some suggested dates and periods for this meeting (for some reason I could not set a web Survey, as before).

Please send the file back with your response to me only, as soon as possible.

I will compile the answers and send them to Jeff to arrange a new date for our meeting.

Thank you in advance for your understanding.

Best regards,

Miriam Frugis

Federal Registration Manager



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From: Andy LaVigne [<mailto:alavigne@amseed.org>]

Sent: Wednesday, August 28, 2013 11:05 PM

To: Miriam Frugis; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; Ray McAllister (RMcAllister@croplifeamerica.org); Fawad Shah (fawad.shah@ams.usda.gov); patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com)

Cc: Clive Halder; Lisa Nichols; Bernice Slutsky

Subject: RE: Update on Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

Miriam,

Unfortunately, Oct. 10 is a date that we at ASTA will be unable to attend – our Executive Committee is meeting Oct 9 – 11 in Albuquerque and do not have any other staff that will be able to attend. If we are absolutely set on having the meeting with Jeff on that date, I ask that we have the opportunity to find the appropriate seed industry representatives that can attend the meeting and that we have a call in advance to make sure we are all on the same page.

I realize I sent an e-mail to you in July regarding tentative availability Miriam, but I was working from a new phone that not appropriately synced to my Outlook files. I apologize for that error on my part, but I am concerned about having the appropriate representation at this meeting. I would like to discuss with you further the ability to work with Jeff to schedule this meeting a week or two later in October.

Please let me know when you have the time to discuss this further.

Thank you.

Andy

Andrew W. LaVigne

President and CEO

American Seed Trade Association

(703)837-8140 - office
(b) (6) - cell
(703)837-9365 - fax
alavigne@amseed.org

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]

Sent: Friday, August 23, 2013 3:54 PM

To: Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; Ray McAllister (RMcAllister@croplifeamerica.org); Fawad Shah (fawad.shah@ams.usda.gov); patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Andy LaVigne

Cc: Clive Halder

Subject: Update on Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

Dear All,

Just a brief update on our coming meeting with EPA to discuss "Treated Seed Tag/Bag".

Clive and I had a short conversation with Jeff Herndon yesterday to discuss some details on the organization of this meeting:

- The meeting will be at the EPA building on October 10th, the period will be defined according to room availability. The suggestion is to set up the meeting period for one hour with the possibility to extend for one hour more. We will receive Jeff's confirmation by first week of September.
- Per Jeff's request, we are keeping a restricted number of participants, maximum 15. The list of participants includes the people receiving this e-mail plus 2 or 3 participants from EPA (Jeff + 2 names TBD) and 3 SLA representatives from KE NC and TX (TBD).
- We are proposing the following agenda for October 10th :
 - Introductions
 - Objectives
 - Presentations:
 - EPA view
 - SLA view
 - Industry view
 - Discussion on shared interest
 - Discussion on seed treated tag/bag statement lists (if time allows)
 - Next Steps: Identify when continuing to discuss statement list, Seed Treatment Systems and modernization of label communication processes
 - Conclusions

If you have any comments or suggestions, please let me know.
I will keep you informed in any other update related to this matter.

Have a good weekend.

Best regards,

Miriam Frugis
Federal Registration Manager



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Please visit our anniversary website:

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:50 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date

FYI – pertaining to FOIA request.

From: Miriam Frugis [mailto:miriam.frugis@bayer.com]
Sent: Tuesday, September 10, 2013 8:44 AM
To: Andy LaVigne; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; rmcallister@croplifeamerica.org; Shah, Fawad - AMS; patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); sue.shen@valent.com
Cc: Clive Halder; Lisa Nichols; Bernice Slutsky
Subject: RE: Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date

Dear All,
The proposed meeting date is October 21st during the afternoon.
I apologize for the typo.

Best regards,
Miriam Frugis
Federal Registration Manager



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To: 'Andy LaVigne'; 'Gordon Sargent (Gordon.Sargent@basf.com)'; 'richard@aradc.org'; 'Ray McAllister (RMCallister@croplifeamerica.org)'; 'Fawad Shah (fawad.shah@ams.usda.gov)'; 'patrick.mccain@syngenta.com'; 'Kent Ediger (kent.ediger@monsanto.com)'; 'GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com)'; sue.shen@valent.com
Cc: Clive Halder; 'Lisa Nichols'; 'Bernice Slutsky'
Subject: RE: Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date

Dear All,
After receiving the feedback from most of you (please see final results in attach), I suggest that we set up the meeting with EPA on **October 21th** (Monday) during the afternoon.
I hope that the date is convenient for you and I will let you know when Jeff Herndon answers back.

Thank you for your attention.

Best regards,

Miriam Frugis
Federal Registration Manager



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Andy

Andrew W. LaVigne

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Cc: Clive Halder

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Have a good weekend.

Best regards,

Miriam Frugis
Federal Registration Manager



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For alternate languages please go to <http://bayerdisclaimer.bayerweb.com>

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:50 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date
Attachments: Treated Seed Tag-Bag - Meeting survey FINAL.xlsx

FYI – pertaining to FOIA request.

From: Miriam Frugis [mailto:miriam.frugis@bayer.com]
Sent: Tuesday, September 10, 2013 8:38 AM
To: Andy LaVigne; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; rmcallister@croplifeamerica.org; Shah, Fawad - AMS; patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); sue.shen@valent.com
Cc: Clive Halder; Lisa Nichols; Bernice Slutsky
Subject: RE: Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date

Dear All,

After receiving the feedback from most of you (please see final results in attach), I suggest that we set up the meeting with EPA on **October 21th** (Monday) during the afternoon.

I hope that the date is convenient for you and I will let you know when Jeff Herndon answers back.

Thank you for your attention.

Best regards,

Miriam Frugis

Federal Registration Manager



Bayer CropScience

Science For A Better Life
Bayer CropScience LP
2 T.W. Alexander Drive
Research Triangle Park, NC 27709
Tel: 919 549 2756
Cell: (b) (6)

E-mail: miriam.frugis@bayer.com

Web: <http://www.bayercropscience.com>

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Sent: Tuesday, September 03, 2013 12:35 PM
To: 'Andy LaVigne'; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; Ray McAllister (RMcAllister@croplifeamerica.org); Fawad Shah (fawad.shah@ams.usda.gov); patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com)
Cc: Clive Halder; Lisa Nichols; Bernice Slutsky
Subject: Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date
Importance: High

Dear All,

Per Andy's message below, we will need to re-schedule the meeting with Jeff Herndon..
I am sending a file with some suggested dates and periods for this meeting (for some reason I could not set a web Survey, as before).
Please send the file back with your response to me only, as soon as possible.
I will compile the answers and send them to Jeff to arrange a new date for our meeting.

Thank you in advance for your understanding.

Best regards,

Miriam Frugis
Federal Registration Manager



Bayer CropScience

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From: Andy LaVigne [<mailto:alavigne@amseed.org>]
Sent: Wednesday, August 28, 2013 11:05 PM
To: Miriam Frugis; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; Ray McAllister (RMcAllister@croplifeamerica.org); Fawad Shah (fawad.shah@ams.usda.gov); patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com)
Cc: Clive Halder; Lisa Nichols; Bernice Slutsky
Subject: RE: Update on Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

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Unfortunately, Oct. 10 is a date that we at ASTA will be unable to attend – our Executive Committee is meeting Oct 9 – 11 in Albuquerque and do not have any other staff that will be able to attend. If we are absolutely set on having the meeting with Jeff on that date, I ask that we have the opportunity to find the appropriate seed industry representatives that can attend the meeting and that we have a call in advance to make sure we are all on the same page.

I realize I sent an e-mail to you in July regarding tentative availability Miriam, but I was working from a new phone that not appropriately synced to my Outlook files. I apologize for that error on my part, but I am concerned about having the appropriate representation at this meeting. I would like to discuss with you further the ability to work with Jeff to schedule this meeting a week or two later in October.

Please let me know when you have the time to discuss this further.

Thank you.

Andy

Andrew W. LaVigne
President and CEO

American Seed Trade Association
(703)837-8140 - office
(b) (6) cell
(703)837-9365 - fax
alavigne@amseed.org

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]

Sent: Friday, August 23, 2013 3:54 PM

To: Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; Ray McAllister (RMcAllister@croplifeamerica.org); Fawad Shah (fawad.shah@ams.usda.gov); patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Andy LaVigne

Cc: Clive Halder

Subject: Update on Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

Dear All,

Just a brief update on our coming meeting with EPA to discuss "Treated Seed Tag/Bag".

Clive and I had a short conversation with Jeff Herndon yesterday to discuss some details on the organization of this meeting:

- The meeting will be at the EPA building on October 10th, the period will be defined according to room availability. The suggestion is to set up the meeting period for one hour with the possibility to extend for one hour more. We will receive Jeff's confirmation by first week of September.
- Per Jeff's request, we are keeping a restricted number of participants, maximum 15. The list of participants includes the people receiving this e-mail plus 2 or 3 participants from EPA (Jeff + 2 names TBD) and 3 SLA representatives from KE NC and TX (TBD).
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 - Presentations:
 - EPA view
 - SLA view
 - Industry view
 - Discussion on shared interest
 - Discussion on seed treated tag/bag statement lists (if time allows)
 - Next Steps: Identify when continuing to discuss statement list, Seed Treatment Systems and modernization of label communication processes
 - Conclusions

If you have any comments or suggestions, please let me know.
I will keep you informed in any other update related to this matter.

Have a good weekend.

Best regards,

Miriam Frugis
Federal Registration Manager



Science For A Better Life

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2 T.W. Alexander Drive
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Tel: 919 549 2756
Cell: (b) (6)
E-mail: miriam.frugis@bayer.com
Web: <http://www.bayercropscience.com>

		Date		
		10/14/2013	10/15/2013	10/21/2013
		Monday	Tuesday	Monday
Ray McAllister	Morning			
	Afternoon			
Clive Halder	Morning			
	Afternoon			
Pat McCain	Morning			
	Afternoon			
Kent Edger	Morning			
	Afternoon			
Jennifer Greminger	Morning			
	Afternoon			
Fawad Shah	Morning			
	Afternoon			
Miriam Frugis	Morning			
	Afternoon			
Sue Shen	Morning			
	Afternoon			
Richard Gupton	Morning			
	Afternoon			
Andy LaVigne	Morning			
	Afternoon			



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 Federal Registration Manager
 Bayer CropScience LP
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 Research Triangle Park, NC 27709
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 Cell: 919 546 3100
 E-mail: miriam.frugis@bayer.com
 Web: www.bayercropscience.com

10/24/2013 10/28/2013 10/30/2013
Thursday Monday Wednesday

Yellow	Green	Green
Yellow	Green	Green
Yellow	Green	Green
Green	Green	Green
Green	Green	Green
Red	Green	Green
Red	Green	Green
Green	Pink	Green
Green	Pink	Green
Red	Green	Green
Red	Green	Red
Green	Green	Green
Green	Green	Green
Green	Green	Green
Green	Green	Red
Green	Green	Red
Green	Green	Red
Green	Yellow	Red
Red	Red	Green
Red	Red	Green
Green	Red	Red
Green	Red	Red

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:51 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Update on Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

Importance: High

FYI – pertaining to FOIA request.

From: Clive Halder [mailto:clive.halder@bayer.com]
Sent: Thursday, August 29, 2013 8:19 AM
To: Andy LaVigne; Miriam Frugis; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; rmcallister@croplifeamerica.org; Shah, Fawad - AMS; patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com)
Cc: Lisa Nichols; Bernice Slutsky; Clive Halder; 'Mark.Trostle@UAP.com'
Subject: RE: Update on Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013
Importance: High

Dear All:

While Miriam is attempting to contact Jeff Herndon to identify alternative dates to meet with EPA (later than the currently scheduled October 10th), I suggest that the team use the September 12th CLA-ST meeting date to go over the draft agenda that Miriam had sent out in order to finalize it, along with one last look at content. I will be unable to attend the CLA-ST (September 12th) meeting, which is no problem; Miriam can handle.

I would like to propose the following in the setting up of a meeting with Jeff Herndon:

- Finding a mutually acceptable meeting date for this number of stakeholders as well as EPA is challenging as I imagine you already know. So, I suggest that if Jeff is unavailable until December or next year, that we revert back to keeping the October 10th meeting date with EPA, and we will schedule some debrief meetings prior to this with ASTA and ARA (if needed) to ensure that appropriate representatives from these organizations are prepped and ready. I hope this is a fair compromise?

Andy and Richard: Is this acceptable to you/ your organizations??

Freundliche Grüße / Best regards,

Clive Halder
Director, Federal Regulatory Affairs



Bayer CropScience

Science For A Better Life

Bayer CropScience LP
BCS-REG-REGU
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clive.halder@bayer.com

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Vorstand: Liam Condon, Vorsitzender | Lykele van der Broek, Achim Noack, Rüdiger Scheitza, Michael A. Schulz
Vorsitzender des Aufsichtsrats: Werner Baumann
Sitz der Gesellschaft: Monheim am Rhein | Eintragung: Amtsgericht Düsseldorf, HRB 46985

From: Andy LaVigne [<mailto:alavigne@amseed.org>]

Sent: Wednesday, August 28, 2013 11:05 PM

To: Miriam Frugis; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; Ray McAllister (RMcAllister@croplifeamerica.org); Fawad Shah (fawad.shah@ams.usda.gov); patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com)

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Subject: RE: Update on Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

Miriam,

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Please let me know when you have the time to discuss this further.

Thank you.

Andy

Andrew W. LaVigne
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To: Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; Ray McAllister (RMcAllister@croplifeamerica.org); Fawad Shah (fawad.shah@ams.usda.gov); patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Andy LaVigne

Cc: Clive Halder

Subject: Update on Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

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If you have any comments or suggestions, please let me know.

I will keep you informed in any other update related to this matter.

Have a good weekend.

Best regards,

Miriam Frugis

Federal Registration Manager



Bayer CropScience

Science For A Better Life

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Lutton, Sara - AMS

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Sent: Tuesday, April 01, 2014 3:51 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Update on Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

FYI – pertaining to FOIA request.

From: Miriam Frugis [mailto:miriam.frugis@bayer.com]
Sent: Thursday, August 29, 2013 7:56 AM
To: Andy LaVigne
Cc: Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; rmcallister@croplifeamerica.org; Shah, Fawad - AMS; patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Clive Halder; Lisa Nichols; Bernice Slutsky
Subject: Re: Update on Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

Andy,

Thanks for let me know.

I will have to discuss with Jeff other possible dates and send another survey to our team.

Best regards,

Miriam

Sent from my iPhone

On Aug 28, 2013, at 10:05 PM, "Andy LaVigne" <alavigne@amseed.org> wrote:

Miriam,

Unfortunately, Oct. 10 is a date that we at ASTA will be unable to attend – our Executive Committee is meeting Oct 9 – 11 in Albuquerque and do not have any other staff that will be able to attend. If we are absolutely set on having the meeting with Jeff on that date, I ask that we have the opportunity to find the appropriate seed industry representatives that can attend the meeting and that we have a call in advance to make sure we are all on the same page.

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Thank you.

Andy

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If you have any comments or suggestions, please let me know.
I will keep you informed in any other update related to this matter.

Have a good weekend.

Best regards,

Miriam Frugis
Federal Registration Manager

<image001.png>

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Tel: 919 549 2756
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E-mail: miriam.frugis@bayer.com
Web: <http://www.bayercropscience.com>

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:52 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Treated seed tag/bag statement discussion with EPA

FYI – pertaining to FOIA request.

From: Gordon Sargent [<mailto:gordon.sargent@basf.com>]
Sent: Wednesday, July 17, 2013 9:11 AM
To: miriam.frugis@bayer.com
Cc: Andrew Lavigne (alavigne@amseed.org); Clive Halder; Shah, Fawad - AMS; Herndon, George (Herndon.George@epa.gov); Kent Ediger (kent.ediger@monsanto.com); Lisa Nichols (lnichols@amseed.org); patrick.mccain@syngenta.com; richard@aradc.org; rmcallister@croplifeamerica.org
Subject: Re: Treated seed tag/bag statement discussion with EPA

Hello Miriam,

On October 10, I am scheduled to be in Arlington attending the semi-annual meeting of the BioPesticide Industry Alliance Meeting. The agenda for this meeting is not out yet, however the 10th will, unfortunately, most likely be the primary meeting day. I may be able to slip away, but probably not for long.

Best regards,
Gordon

Gordon Sargent
Product Registration Manager
BASF Corporation

Phone: 919 547 2411 Mobile: (b) (6) E-Mail: Gordon.Sargent@basf.com
Postal Address: 26 Davis Drive, Research Triangle Park, NC, 27709 Research Triangle Park, NC, USA

From: Miriam Frugis <miriam.frugis@bayer.com>
To: "richard@aradc.org" <richard@aradc.org>, "Ray McAllister (RMcAllister@croplifeamerica.org)" <RMcAllister@croplifeamerica.org>, "Clive Halder" <clive.halder@bayer.com>, "Lisa Nichols (lnichols@amseed.org)" <lnichols@amseed.org>, "Andrew Lavigne (alavigne@amseed.org)" <alavigne@amseed.org>, "patrick.mccain@syngenta.com" <patrick.mccain@syngenta.com>, "Kent Ediger (kent.ediger@monsanto.com)" <kent.ediger@monsanto.com>, "Fawad Shah (fawad.shah@ams.usda.gov)" <fawad.shah@ams.usda.gov>, "Gordon Sargent (Gordon.Sargent@basf.com)" <Gordon.Sargent@basf.com>
Cc: "Herndon, George (Herndon.George@epa.gov)" <Herndon.George@epa.gov>
Date: 07/12/2013 10:33 AM
Subject: Treated seed tag/bag statement discussion with EPA

Good morning!

I received a message from Jeff Herndon confirming his availability for a meeting to discuss the treated seed tag/ bag statements.

The meeting is confirmed as October 10 (Thursday) during the morning. The correct time will be agreed soon.

Please block your calendar and let me know if you have any agenda conflict for this date.

I will work on an agenda proposal during the next weeks and circulate it for suggestions and comments.

If you have any question, please let me know.

Best regards,

Miriam Frugis

Federal Registration Manager



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From: Miriam Frugis [mailto:miriam.frugis@bayer.com]
Sent: Tuesday, September 03, 2013 1:43 PM
To: Shah, Fawad - AMS
Subject: RE: Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date

Thank you, Fawad.

Best regards,
Miriam Frugis
Federal Registration Manager



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From: Shah, Fawad - AMS [mailto:Fawad.Shah@ams.usda.gov]
Sent: Tuesday, September 03, 2013 1:31 PM
To: Miriam Frugis
Subject: RE: Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date

Hi Miriam,

At this point my calendar is open on all dates you sent out.

Thank you,
-Fawad



Fawad S. Shah, Ph.D. | Director

Seed Regulatory and Testing Division | 801 Summit Crossing Place, Suite C | Gastonia, NC 28054

Direct: 704-810-8884 | Cell: (b) (6) | Main: 704-810-8871 | Fax: 704-852-4109

fawad.shah@ams.usda.gov | www.ams.usda.gov/seed

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]

Sent: Tuesday, September 03, 2013 12:35 PM

To: Andy LaVigne; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; rmcallister@croplifeamerica.org; Shah, Fawad - AMS; patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com)

Cc: Clive Halder; Lisa Nichols; Bernice Slutsky

Subject: Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - Survey to propose to a new date

Importance: High

Dear All,

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Thank you in advance for your understanding.

Best regards,

Miriam Frugis

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E-mail: miriam.frugis@bayer.com
Web: <http://www.bayercropscience.com>

Please visit our anniversary website:

[Bayer: 150 Years Science For A Better Life](http://www.bayercropscience.com)

From: Andy LaVigne [<mailto:alavigne@amseed.org>]

Sent: Wednesday, August 28, 2013 11:05 PM

To: Miriam Frugis; Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; Ray McAllister (RMcAllister@croplifeamerica.org); Fawad Shah (fawad.shah@ams.usda.gov); patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com)

Cc: Clive Halder; Lisa Nichols; Bernice Slutsky

Subject: RE: Update on Meeting " Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

Miriam,

Unfortunately, Oct. 10 is a date that we at ASTA will be unable to attend – our Executive Committee is meeting Oct 9 – 11 in Albuquerque and do not have any other staff that will be able to attend. If we are absolutely set on having the meeting with Jeff on that date, I ask that we have the opportunity to find the appropriate seed industry representatives that can attend the meeting and that we have a call in advance to make sure we are all on the same page.

I realize I sent an e-mail to you in July regarding tentative availability Miriam, but I was working from a new phone that not appropriately synced to my Outlook files. I apologize for that error on my part, but I am concerned about having the appropriate representation at this meeting. I would like to discuss with you further the ability to work with Jeff to schedule this meeting a week or two later in October.

Please let me know when you have the time to discuss this further.

Thank you.

Andy

Andrew W. LaVigne
President and CEO
American Seed Trade Association
(703)837-8140 - office
(b) (6) - cell
(703)837-9365 - fax
alavigne@amseed.org

From: Miriam Frugis [mailto:miriam.frugis@bayer.com]

Sent: Friday, August 23, 2013 3:54 PM

To: Gordon Sargent (Gordon.Sargent@basf.com); richard@aradc.org; Ray McAllister (RMcAllister@croplifeamerica.org); Fawad Shah (fawad.shah@ams.usda.gov); patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Andy LaVigne

Cc: Clive Halder

Subject: Update on Meeting "Treated Seed Tag/Bag Dialogue" with Jeff Herndon/EPA - October 10, 2013

Dear All,

Just a brief update on our coming meeting with EPA to discuss "Treated Seed Tag/Bag".

Clive and I had a short conversation with Jeff Herndon yesterday to discuss some details on the organization of this meeting:

- The meeting will be at the EPA building on October 10th, the period will be defined according to room availability. The suggestion is to set up the meeting period for one hour with the possibility to extend for one hour more. We will receive Jeff's confirmation by first week of September.
- Per Jeff's request, we are keeping a restricted number of participants, maximum 15. The list of participants includes the people receiving this e-mail plus 2 or 3 participants from EPA (Jeff + 2 names TBD) and 3 SLA representatives from KE NC and TX (TBD).
- We are proposing the following agenda for October 10th :
 - Introductions
 - Objectives
 - Presentations:
 - EPA view
 - SLA view
 - Industry view
 - Discussion on shared interest
 - Discussion on seed treated tag/bag statement lists (if time allows)
 - Next Steps: Identify when continuing to discuss statement list, Seed Treatment Systems and modernization of label communication processes
 - Conclusions

If you have any comments or suggestions, please let me know.
I will keep you informed in any other update related to this matter.

Have a good weekend.

Best regards,

Miriam Frugis
Federal Registration Manager



Science For A Better Life

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Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:54 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Treated Seed Tag/Bag Initiative - EPA meeting April 16 McCain feedback 4-1-14
Attachments: CLA Seed Tag WG Minutes with EPA 3-26-14 McCain 3-31-14.docx

FYI – pertaining to FOIA request.

From: patrick.mccain@SYNGENTA.COM [mailto:patrick.mccain@SYNGENTA.COM]
Sent: Tuesday, April 01, 2014 9:41 AM
To: miriam.frugis@bayer.com
Cc: clive.halder@bayer.com; jennifer.m.greminger@monsanto.com; Lisa.Nichols@cpsagu.com; RPEARSON@growmark.com; richard@aradc.org; sue.shen@valent.com; craig.thomson@pioneer.com; Burton, Roger - AMS; craig.thomson@pioneer.com; rmcallister@croplifeamerica.org; jdemarchi@amseed.org; alavigne@amseed.org; Shah, Fawad - AMS
Subject: RE: Treated Seed Tag/Bag Initiative - EPA meeting April 16 McCain feedback 4-1-14

Hi Miriam,

Great job on the minutes and organizing the team! I appreciate it very much. I just had a few edits/comments for your consideration. Please see attached. As for the meeting with EPA on the 16th, I plan on attending in person.

Also, during the meeting with EPA last week, I was asked to provide the link to CDPR's seed law's website. It is attached below. [See page 17 for specific reference to required seed tag language in CA.] Please include this in the final version of the minutes as well.

One other consideration. Has someone in the seed tag team looked at all the State specific seed tag language requirements yet? I am a bit concerned that while we are clear on the FL and CA requirements, we may be missing some other requirements in other states. I have my label specialist looking into this right now, but wanted to check with you in case this exercise has already been completed...

http://www.cdfa.ca.gov/plant/pe/nursery/pdfs/SeedLaw_2011.pdf

Thanks again,

Pat

Patrick McCain
Senior Regulatory Product Manager
Regulatory Affairs – Seed Care

Syngenta Crop Protection, LLC
PO Box 18300
Greensboro, NC
27419-8300

Phone 1 800 334 9481
direct 336 632 7317
mobile (b) (6)

patrick.mccain@syngenta.com
www.syngenta.com

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]

Sent: Friday, March 28, 2014 4:12 PM

To: Clive Halder; McCain Patrick USGR; GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com);

Nichols, Lisa (Lisa.Nichols@cpsagu.com); Pearson, Randy (RPEARSON@growmark.com); richard@aradc.org;

sue.shen@valent.com; Thomson, Craig (craig.thomson@pioneer.com); Burton, Roger - AMS

(Roger.Burton@ams.usda.gov); Thomson, Craig (craig.thomson@pioneer.com)

Cc: Ray McAllister (RMcAllister@croplifeamerica.org); Jane DeMarchi (jdemarchi@amseed.org); Andrew Lavigne

(alavigne@amseed.org); Fawad Shah (fawad.shah@ams.usda.gov)

Subject: Treated Seed Tag/Bag Initiative - EPA meeting April 16

Dear All,

Thank you very much for your participation on our meeting with EPA last Wednesday. It was a very productive meeting with a positive outcome.

As we discussed during the meeting, EPA is favorable for a follow up meeting in 3 weeks to continue the statements and prepare an implementation plan for the statements that we have made a decision.

Therefore, I have just confirmed our follow up meeting with EPA for **April 16, from 3 - 5 pm** at EPA office.

During this meeting we will have some the SLA present in person. In addition to that we will have the following attendees from EPA:

EPA:

- Jeff Herndon
- Meredith Laws
- Marietta Echeverria
- Cynthia Giles-Parker
- Tony Kish
- Venus Eagle
- Karen Samek
- Julie Chao
- Jennifer Urbanski

State regulators

- Danny Turner (danny.turner@ncagr.gov)
- Laura Quakenbush (laura.quakenbush@state.co.us)
- Charlie Clark – Florida; Charlie.Clark@FreshFromFlorida.com;
- Liza Fleeson – Virginia; liza.fleeson@vdacs.virginia.gov;
- Dave Scott – Indiana; scottde@purdue.edu;

Please let me know if you will be able to attend in person or you will call in.

I also prepared the minutes first draft. Please review this document and let me know your comments or if I missed any important point.

I will prepare the final Statement document after receiving your comments on the minutes

Thank you.

Best regards,

Miriam Frugis

Federal Registration Manager



Bayer CropScience

Science For A Better Life

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Web: <http://www.bayercropscience.com>

2nd Meeting: Treated Seed Tagging Initiative

Date: March 28, 2013 (2:00 to 3:00 pm)

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2nd Meeting: Treated Seed Tag/Bag Initiative

Date: March 26, 2013 (3:00 to 5:00 pm)

Attendees:

- Burton, Roger – USDA (call-in)
- Chao, Julie – EPA/RD
- Clark, Charlie – FL Dept of Agriculture (call-in)
- Echeverria, Marietta – EPA/RD
- Frugis, Miriam – Bayer
- Greminger, Jennifer – Monsanto Co
- Gupton, Richard – ARA
- Halder, Clive – Bayer
- Herndon, Jeff - EPA/RD
- Kish, Tony – EPA/RD
- McCain, Patrick – Syngenta
- Nichols, Lisa – Loveland/CPS
- Pearson, Randy – GROWMARK
- Quakenbush, Laura – CO Dept of Agriculture (call-in)
- Samek, Karen – EPA/RD
- Scott, Dave – Indiana State Ag Dept (call-in)
- Shen, Sue – Valent
- Thomson, Craig – DuPont/Pioneer (call-in)
- Turner, Danny – NC Dept of Agriculture (call-in)
- Urbanski, Jennifer – EPA/RD

Meeting Agenda:

- Introductions
- Objectives
- Decision on seed treated tag/bag statement list (items A and C of Statement List, then followed by B)
- Discussion on statement "*mg of active ingredient/seed*"
- Next Steps
- Conclusions

Minutes

After the introductions, Jeff Herndon explained the expectations of this meeting. The main objectives were to review and make a decision on the proposed statements for the seed tag/bag. The review was focused items A and C, followed by item B.

Each statement below is followed by the decision or specific comments from the team.

A. STATEMENTS TO RETAIN ON SEED TAG/BAG:

a) General:

- This seed has been treated with XXX (name of active ingredients). – Retain - required by the Federal Seed Act
- Do not use treated seed for feed, food or oil purpose. – Retain - required by the Federal Seed Act
- "Poison" (in red and > 8 points) and Skull Crossbones symbol for mercurials compounds - Retain - required by the Federal Seed Act - Roger Burton/USDA commented that Federal Seed Act/ USDA interpret those toxic compounds are synonymous to Toxicity Category I.
- Wear long-sleeved shirt, long pants, shoes, socks, and chemical-resistant gloves when handling treated seed. – Retain – Tony Kirsh/ EPA commented that this statement can vary according to label requirements in the RED depending on the compound. Jeff Herndon commented that the phrase seems to be appropriated, that he would go back to HED to confirm.
- Treated seeds must be planted at a minimum depth of X inches. - Retain
- Treated at manufacturer's recommended rate. – Florida State requirement – Pending decision - Charlie Clark will give us an interpretation according to the Florida Seed Statute.
- Treated with "Poison". (in red) – Florida State requirement – same as above.
- "TREATED SEED", plus signal word for category of treatment material. – California State requirement - Pending decision – The team pointed out that the signal word is referring to the chemical/product that is treating the seed, which it does not make sense to have it on seed bag. Jeff Herndon will contact CA-DPR for clarification and interpretation.

b) Stewardship Statements:

- Storage and Seed Bag Disposal: Store treated seed away from food and feed, and do not allow access by children, pets, or livestock. Do not reuse or refill

Comment [pm1]: For completeness, should we include why this does not make sense here? (i.e., treated seed is not FIFRA regulated and using a signal word from the pesticide product does not apply to the treated seed.)

empty seed bags, and dispose of treated seed bags in accordance with local requirements. **Retain**

- Do not contaminate bodies of water when disposing of excess treated seed or wash waters of planting equipment. Dispose of them in accordance with local requirements. **Retain**
- Exposed treated seeds may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting. **Retain**

c) Compound-Specific Seed Tag Statements (as applicable):

- "Poison" (in red and > 8 points) and Skull Crossbones symbol for mercurials compounds. **Retain – See comment in item A.**
- Randy Pearson pointed out that the two next statements are similar and need to be re-phrased to simplify the tag message. The team agreed to combine the two statements. In addition to that, the phrase: "Surplus seed or empty seed containers should be stored or disposed according to local or federal regulations", will be moved to Stewardship statement section.
 - *This compound is highly toxic to bees exposed directly (contact). Ensure that planting equipment is functioning properly in accordance with manufacturing recommendations to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds.*
 - *To reduce seed dust which can drift onto blooming crops or weeds, ensure that planting equipment is functioning properly in accordance with manufacturer's recommendations. Surplus seed or empty seed containers should be stored or disposed according to local or federal regulations.*
- Grazing Restriction statement - **Retain**
- Plant Back Restriction statement - **Retain**

Comment [pm2]: Are we going to propose the combined language in these minutes, or as a group later?

C. STATEMENTS WE FEEL SHOULD NOT BE ON THE SEED TAG/BAG:

- E-fate related statements, for example: This product contains X that is known to leach through soil into groundwater under certain conditions as result of agricultural use. Use of this product in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. – **EPA Agreed to eliminate**

Comment [pm3]: I thought we also agreed to include a new statement that essentially says that additional compound specific requirements may be imposed as well (ie., a place holder for additional compound specific requirements)?

Comment [pm4]: I thought that Herndon suggested this could be considered a compound specific requirement?

- For the next two statements, the team discussed the possibility to replace them in the seed tag, by a general statement: "Do not exceed X amount of seed rate per acre". There is an agreement that the two next statements pertain to the jug label and not the seed tag. A new proposal of this a statement will be available for the next meeting.

- Regardless of the type of application (seed treatment, soil or foliar), do not apply more than a total of X or (Y gram) (active ingredient) per acre per crop season.

- "mg a.i./seed" in the use directions and seed bag tag: "if seed size is XX seeds/lb. (XXY lbs./U), ZZ fl oz. a.i./cwt. would provide YY mg a.i./seed."

- After seeds have been planted, do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of X hours. Exception: Once seeds are planted and covered by soil or other planting media, the Worker Protection Standard (WPS) allows workers to enter the treated area without restriction. — **EPA Agreed to eliminate**

B. STATEMENTS FOR FURTHER DISCUSSION:

- Excess treated seed may be used for ethanol production only if:
 - (1) By-products are not used for livestock feed, and
 - (2) No measurable residues of pesticides remain in ethanol by-products that are used for agronomic practice.

The team explained that there is only a plant in Kansas that may be affected by this statement. The team discussed the possibility to re-phrase the statement to make it specific to corn seed, and therefore giving the grower the option to incinerate the excess of treated seeds. A new statement will be proposed for this case.

Comment [pm5]: Not sure this is true. I understood there was at least 1 more plant who produces biofuels from excess treated seed.

Next Steps

- A new meeting will be schedule in 3 weeks to work on an implement plan of the Statements that we have defined during this meeting.
- Miriam Frugis/ Bayer will prepare a new document that captures the suggestions of new statements, discuss with the CLA team and bring a proposal for next meeting.
- During the next meeting, the team will discuss the plan to evaluate the compound specific statements by class of products.

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:55 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Treated Seed Tag/Bag Initiative - EPA meeting April 16
Attachments: 2014-03-26 Treated Seed Tag Initiative-Meeting Minutes.docx

FYI – pertaining to FOIA request.

This just came in...

From: Pearson, Randy [mailto:RPEARSON@growmark.com]
Sent: Tuesday, April 01, 2014 3:53 PM
To: Miriam Frugis; Clive Halder; patrick.mccain@syngenta.com; GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Nichols, Lisa (Lisa.Nichols@cpsagu.com); richard@aradc.org; sue.shen@valent.com; Thomson, Craig (craig.thomson@pioneer.com); Burton, Roger - AMS; Thomson, Craig (craig.thomson@pioneer.com)
Cc: rmcallister@croplifeamerica.org; Jane DeMarchi (jdemarchi@amseed.org); alavigne@amseed.org; Shah, Fawad - AMS
Subject: RE: Treated Seed Tag/Bag Initiative - EPA meeting April 16

Miriam,

Under “Attendees”, I thought I heard Larry W. Nees, Indiana Seed Administrator say he was present on the call in list on March 26th.

I added some comments under “B. STATEMENTS FOR FURTHER DISCUSSION:”

I will probably call in on April 16 if that is ok.

Randy Pearson | Manager, Quality Assurance | [GROWMARK, Inc.](http://GROWMARK.Inc) | Ph: 309-557-6849 | Fx: 309-557-7196 | rpearson@growmark.com

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Sent: Friday, March 28, 2014 3:12 PM
To: Clive Halder; patrick.mccain@syngenta.com; GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Nichols, Lisa (Lisa.Nichols@cpsagu.com); Pearson, Randy; richard@aradc.org; sue.shen@valent.com; Thomson, Craig (craig.thomson@pioneer.com); Burton, Roger - AMS (Roger.Burton@ams.usda.gov); Thomson, Craig (craig.thomson@pioneer.com)
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- Julie Chao
- Jennifer Urbanski

State regulators

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- Laura Quakenbush (laura.quakenbush@state.co.us)
- Charlie Clark – Florida; Charlie.Clark@FreshFromFlorida.com;
- Liza Fleeson – Virginia; liza.fleeson@vdacs.virginia.gov;
- Dave Scott – Indiana; scottde@purdue.edu;

Please let me know if you will be able to attend in person or you will call in.

I also prepared the minutes first draft. Please review this document and let me know your comments or if I missed any important point.

I will prepare the final Statement document after receiving your comments on the minutes

Thank you.

Best regards,

Miriam Frugis

Federal Registration Manager



Bayer CropScience

Science For A Better Life

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- After seeds have been planted, do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of X hours. Exception: Once seeds are planted and covered by soil or other planting media, the Worker Protection Standard (WPS) allows workers to enter the treated area without restriction. —
Agreed to eliminate

B. STATEMENTS FOR FURTHER DISCUSSION:

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 - (1) By-products are not used for livestock feed, and
 - (2) No measurable residues of pesticides remain in ethanol by-products that are used for agronomic practice.

The team explained that there is only a plant in Kansas that may be affected by this statement. The team discussed the possibility to re-phrase the statement to make it specific to corn seed, and therefore giving the grower the option to incinerate the excess of treated seeds. A new statement will be proposed for this case.

Next Steps

- A new meeting will be schedule in 3 weeks to work on an implement plan of the Statements that we have defined during this meeting.
- Miriam Frugis/ Bayer will prepare a new document that captures the suggestions of new statements, discuss with the CLA team and bring a proposal for next meeting.
- During the next meeting, the team will discuss the plan to evaluate the compound specific statements by class of products.

Lutton, Sara - AMS

From: Shah, Fawad - AMS
Sent: Tuesday, April 01, 2014 3:49 PM
To: Lutton, Sara - AMS
Cc: Tangredi, Joseph - AMS
Subject: FW: Seed Tag/Bag Initiative Meeting with EPA - CONFIRMED
Attachments: 2013-10-21 Seed Tag Concerns Presentation for EPA-Final.pptx
Importance: High

FYI – pertaining to FOIA request.

From: Miriam Frugis [<mailto:miriam.frugis@bayer.com>]
Sent: Thursday, October 17, 2013 3:37 PM
To: rmcallister@croplifeamerica.org; patrick.mccain@syngenta.com; Kent Ediger (kent.ediger@monsanto.com); GREMINGER, JENNIFER M (AG/1000) (jennifer.m.greminger@monsanto.com); Shah, Fawad - AMS; sue.shen@valent.com; richard@aradc.org; Andrew Lavigne (alavigne@amseed.org)
Cc: Clive Halder
Subject: Seed Tag/Bag Initiative Meeting with EPA - CONFIRMED
Importance: High

Dear All,

I have just received the confirmation from Jeff Herndon for our meeting on October 21st at from 3:00 to 4:00 (option to extend up to 5:00 pm).

Jeff was able to contact the 2 SLAs: Laura Quakenbush and Danny Turner. Both agreed to call-in for this meeting. (The conference call in number is: (b) (5) and the code is (b) (5)). Therefore, I believe that we will have a very productive meeting next Monday.

Please find below the proposed agenda for this meeting:

- Introductions
- Objectives
- Presentations:
 - i. EPA view
 - ii. SLA view
 - iii. Industry view – Industry presentation
- Discussion on shared interest
- Discussion on seed treated tag/bag statement lists (if time allows)
- Next Steps: Identify when continuing to discuss statement list, Seed Treatment Systems and modernization of label communication processes
- Conclusions

The final industry presentation is in attached for your reference. I am sending a copy of this presentation to Jeff during this afternoon.

As we discussed during our last CLA meeting, the team will meet at the Hyatt lobby at 1:30 pm before the meeting and proceed to EPA building from there.

If you have any question, please let me know.

Best regards,

Miriam Frugis
Federal Registration Manager



Science For A Better Life

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Please visit our anniversary website:
[Bayer: 150 Years Science For A Better Life](#)

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Seed Tag/Bag Labeling

Challenges & Practical considerations

October 21, 2013

Bayer CropScience



Minimum Fungicide
Federal Registration Manager

Best regards,



Agenda

- Seed Tag Language Requirements
- Areas of Concern & Practical Considerations
 - Increase in labeling content & complexity
 - Targeted audiences
 - Purpose behind seed tag statements
 - Inconsistent application of requirements
- Summary of Concern Areas
- Proposed Treated Seed Tag/Bag Harmonization

SEED TREATMENT LABELING

- FEDERAL SEED ACT

- Purpose: protect seed and seed statements

- STATE SEED ACTS

- Increase in labeling content & complexity

- OSHA HAZARD COMMUNICATION ACT

FIFRA-RELATED COMPONENTS (safety & risk information)

Additional EPA Requirements

- Identifying the A.I. concentration levels
- Stewardship statements, e.g.:
 - Proper disposal
 - Worker protection
 - Use rates/season
 - Pollinator exposure mitigation

Complexity

Increase in labeling requirements and

Increase in Labeling requirements and Complexity

- Standard Seed Company seed tags are 3x9 ([see example](#)). Seed companies prefer to have the flexibility to use 1 preprinted tag which includes proper language covering Seed Act requirements.
- Additional required language can force multiple tags or expanded sized tags
 - Concern is end-user will not read lengthy tags
 - Some requirements are unclear and redundant, making end-user difficult to read.
- **Goal is to keep language simple, visible, and easy to read.**

Areas of Concerns & Practical Considerations

Pesticide Product Label

Relevance of Label Language Placement
Targeted Audiences:

Targeted Audiences: Relevance of Label Language Placement

Pesticide Product Label

Seed Treaters, Farmers & Workers

VS.

Seed Bag Tag

End-user (farmer)

Message in treated seed bag statements has
different audience than pesticide product labels.

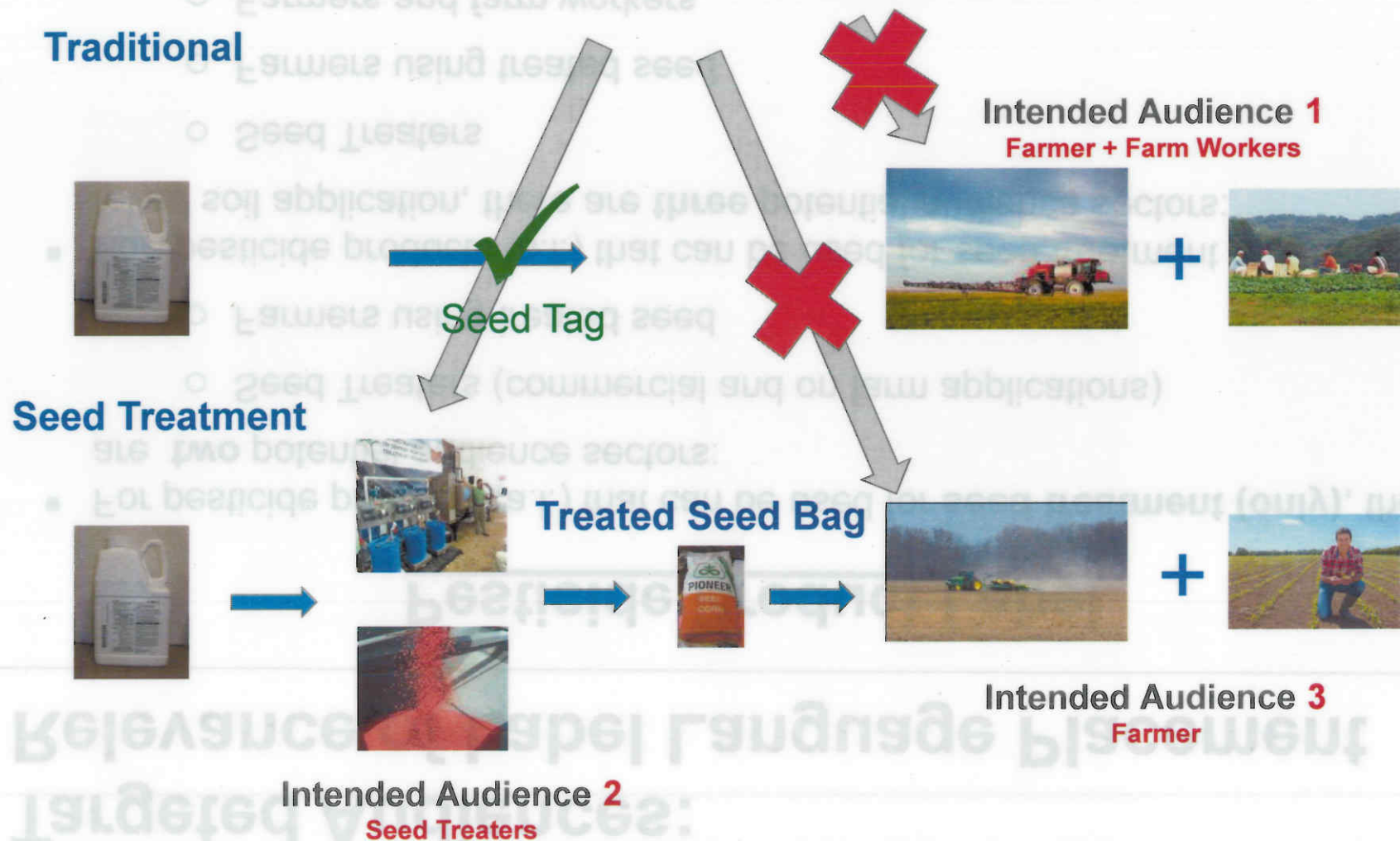
Targeted Audiences: Relevance of Label Language Placement

Pesticide Product Label

- For pesticide products (a.i.) that can be used for **seed treatment (only)**, there are **two** potential audience sectors:
 - Seed Treaters (commercial and on farm applications)
 - Farmers using treated seed
- For pesticide products (a.i.) that can be used for seed treatment **and** for foliar/ soil application, there are **three** potential audience sectors:
 - Seed Treaters
 - Farmers using treated seed
 - Farmers and farm workers

Intend Conve

- EPA - Do not use treated seed for food, feed, or oil production. Excess treated seed may be used for ethanol production only if (1) byproducts are not used for livestock feed and (2) no measurable residues of pesticide remain in ethanol by-products that are used in agronomic practice.



Inter Conv

EPA - After the seeds have been planted, do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 12 hours. **Exception:** Once the seeds are planted in soil or other planting media, the Worker Protection Standard allows workers to enter the treated area without restriction if there will be no worker contact with the treated seeds in the soil or planting media

Traditional



Seed Treatment



Treated Seed Bag



Intended Audience 1 Farmer + Farm Workers



Seed Tag

Intended Audience 2 Seed Treaters

Intended Audience 3 Farmer

Purpose behind Seed Tag Statements

Is it Practical and Appropriate?

- Having a regulatory (e.g. risk cup, enforcement, environmental safety) intention may not always translate into a practical or effective outcome.
 - Example: Requiring the amount of a.i./ seed be stated on the seed tag
 - **Intention:** To allow farmer to calculate amount applied to field during planting of treated seed so that the farmer can make adjustments to foliar rates to compensate for seed treatment.
 - **Outcome:** Impractical - Not likely to be followed
 - ✓ Seed tag is generally not retained
 - ✓ Too complex to understand & implement
 - ✓ Does not take reality of seed size and planting load into account
 - **Reason:** Intention of requirement is for EPA, not end-user.

Practicality of Message – Application Rate per Seed

ORIGINAL DIRECTIVE

Seed Bag Tag requirements that pose challenges:

*For soybeans: Do not exceed 0.0384 lb. xxxxxx/A (17.5 g a.i./A) per crop season. The maximum number of applications per year is 3. This seed has been treated with **xx mg** active ingredients (a.i) of Product A/seed which includes AI-1(2.5 g a.i./100 Kg seed), AI-2 (5 g a.i./100 Kg seed), and AI-3 (4 g a.i./100 Kg seed).*

- Purported Advantage:

Allows the end-user (farmer) to calculate their maximum usage for the season/crop

- Con/challenges:

Using 1 fl. oz./cwt., the labeled rate of 0.019 mg. a.i./seed is based on 2,800 seeds/lb.

- This “xx” factor will change every time seed size changes – **depending on the treater location, this could be as many as 10-15 times/day.** A treater would have to produce a different tag for every seed size. Treater prefer to print tags in bulk runs at the beginning of the year
- Too complex to understand and implement
- Farmer won't refer to this in making subsequent foliar applications

Practicality of Message – Application Rate per Seed

REVISED APPROACH

We appreciate EPA's willingness to adopt more practical approach regarding application per seed requirements (see below):

- Alfalfa: Do not exceed 0.00225 lb ai/A (1.02 g ai/A) per crop season.
- Beans and Peas (excluding soybeans): Do not exceed 0.0384 lb ai/A (17.5 g ai/A) per crop season.
- Soybeans: Do not exceed 0.0384 lb ai/A (17.5 g ai/A) per crop season.
- Oil Seed Crops: Do not exceed 0.00123 lb ai/A (0.6 g ai/A) per crop season.
- Cotton: Do not exceed 0.0019 lb ai/A (0.86 g ai/A) per crop season.
- Cereal Grains (except corn, sorghum, and rice) do not exceed 0.0078 lb ai/A (3.5 g ai/A) per crop season.
- Corn: Do not exceed 0.0033 lb ai/A (1.5 g ai/A) per crop season.
- Sunflower and Safflower: Do not exceed 0.00123 lb ai/A (0.6 g ai/A) per crop season.
- Rice (Dry seeded): Do not exceed 0.006 lb ai/A (2.7 g ai/A) per crop season.

Nevertheless, if the intent is to restrict use of lbs. a.i./acre to within risk cup, it would be more appropriate to revise the allowable use rates on pesticide product label to have an upper use limit for foliar applications following seed treatment.

Inconsistent Application of Requirements

- Different EPA teams pursue/mandate different requirements and statements
- Most often the requirement is introduced for 1st time during last stages of a PRIA decision
 - Acceptance often at risk of not obtaining use approval
- Company potentially at a competitive disadvantage if they are the only one sporting the language
 - No mechanism to require other registrants from being required to carry same requirements
 - Often many years until they file for a new application/ registration review



PPE

Wear long-sleeved shirt, long pants and chemical-resistant gloves when handling treated seeds.

PPE

Wear long-sleeved shirt, long pants and chemical-resistant gloves such as Natural Rubber 14 \geq mils, Barrier Laminate, Butyl Rubber, Nitrile Rubber, Neoprene Rubber or Viton when handling treated seed.

This seed has been treated with thiamethoxam insecticide and metformin fungicide.

DO NOT USE FOR FEED, FOOD OR OIL PURPOSES

User is responsible for ensuring that the seed bag meets all requirements under the Federal Seed Act.

Storage: Store away from food and feedstuffs. Do not allow children, pets or livestock to have access to or ingest feed.

Planting: Follow grower/manufacturer instructions for use of all other
fertilizer for additives at planting.

Personal Protective Equipment: Wear long-sleeved shirt, long pants and chemical-resistant gloves when handling heated seeds.

~~General: Dispose of all excess treated seed. Leftover treated seed may be double-bagged and the headland or buried away from water sources in accordance with local requirements. Do not combine treated seed with clean seed when repacking or planting equipment washwaters. Dispose of seed packaging in accordance with local requirements.~~

Excess treated seed may be used for ethanol production only if (1) by-products are not used for livestock feed and (2) no measurable residues of pesticide remain in ethanol by-products that are used in the agromarine pipeline.

Environmental: Treated seeds exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading. Treated seed must be planted into the soil at a depth greater than 1 inch.

To protect the Poudre Meadow Jumping Mouse, sunflower seed treated with Cruiser IPB should not be planted in Elbert or Weld Counties in Colorado.

[illegible]

Do not use at a rate that will result in more than 0.14 lb. of flumethoxam per acre (63.5 grams a.i./A) per season. This seed has been treated with flumethoxam at 0.25 mg a.i./seed.

Ground Water Advisory: Thionothion has properties and characteristics associated with chemicals detected in ground water. This chemical may leach into the ground water if used in areas where soils are permeable, particularly where the water table is shallow.

Pollinator Precautions: Thiamethoxam is highly toxic to bees, and effects are possible as a result of exposure to translocated residues in blooming crops.

For Emergencies or questions related to methomex or thiomethox applied to this seed, please call 1-800-888-8372.

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Inconsistent Application of Requirements

Example

- Bayer was required to add certain “mg a.i./seed” information in the seed bag tag section, i.e., “*For soybeans: Do not exceed 0.0384 lb. xxxxxxxx/A (17.5 g a.i./A) per crop season. The maximum number of applications per year is 3. This seed has been treated with **xx mg** active ingredients (a.i) of Product A/seed which includes AI-1(2.5 g a.i./100 Kg seed), AI-2 (5 g a.i./100 Kg seed), and AI-3 (4 g a.i./100 Kg seed).*”
- Bayer was only one required to put these additional components on their seed tags for the same a.i.:
 - Difference in directives and guidance by different teams within EPA
 - Non-standardization to all A.I.’s under similar new requirements
 - Cause confusion by users (seed companies, treaters and grower levels)
 - Competitive disadvantage by registrants.

Inconsistent Application of Requirements

- Need process that includes:

- Vetting of proposed new statements prior to issuance

- This allows for consistent stewardship practices

- ✓ Between review teams within EPA

- ✓ With impacted stakeholder groups

- Implementation of a process that legally requires all registrants of a.i. to conform to new statements

- ✓ Needs to be done within a defined timeframe

Example

Inconsistent Application of Requirements

Summary of Concerns

- Are practical and manageable requirements being implemented?
- Are the correct audiences being touched?
- Is the issuance of additional requirements timely and consistent?

Conclusions & Recommendations

Conclusions & Recommendations

- **Fully vet proposed additional seed tag language with impacted stakeholders as well as internally within the Agency and SLAs BEFORE issuing them as requirements**
 - Additional time but ensures buy-in and practical implementation
 - Better safety overall and speed of adoption rate increases
- **Be conscience of intended audience (i.e. # 1, 2 or 3) and intended purpose of language before deciding best approach for labeling.**
 - Better safety overall with target audiences
- **Be consistent amongst registrants**
 - Difference in directives/execution by different teams within EPA leads to differing requirements between registrants
 - Confusion by users
 - Avoidance of potential competitive disadvantages

Proposed Treated Seed Tag/Bag Harmonization

Isosopry

Proposal

- **STATEMENTS TO RETAIN ON SEED TAG/BAG**
 - *General*
 - *Stewardship Statements*
 - *Compound-Specific Seed Tag Statements (as applicable)*
- **STATEMENTS FOR FURTHER DISCUSSION**
- **STATEMENTS WE FEEL SHOULD NOT BE ON THE SEED TAG/BAG**

STATEMENTS TO RETAIN ON SEED TAG/BAG

General:

- This seed has been treated with **XXX** (name of active ingredients).
- Do not use treated seed for feed, food or oil purpose.
- Wear long-sleeved shirt, long pants, shoes, socks, and chemical-resistant gloves when handling treated seed.
- Treated seeds must be planted at a minimum depth of **X** inches.
- Treated at manufacturer's recommended rate.¹
- "TREATED SEED", plus signal word for category of treatment material.²

¹ State of Florida requirement

² State of California requirement

STATEMENTS TO RETAIN ON SEED TAG/BAG

Stewardship Statements:

- Storage and Disposal: Store treated seed away from food and feed, and do not allow access by children, pets, or livestock. Do not reuse or refill empty seed bags, and dispose of treated seed bags in accordance with local requirements.
- Do not contaminate bodies of water when disposing of excess treated seed or wash waters of planting equipment. Dispose of them in accordance with local requirements.
- Exposed treated seeds may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting.

STATEMENTS TO RETAIN ON SEED TAG/BAG

Compound-Specific Seed Tag Statements (as applicable):

- This compound is highly toxic to bees exposed directly (contact).
- Ensure that planting equipment is functioning properly in accordance with manufacturing recommendations to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds.³
- Surplus seed or empty seed containers should be stored or disposed according to local federal regulations.⁴
- Grazing Restriction statement
- Plant Back Restriction statement

³ Consistent neonicotinoid-specific seed tag language to be vetted with Agency in near future

⁴ Ditto

STATEMENTS FOR FURTHER DISCUSSION

- Excess treated seed may be used for ethanol production only if:
 - By-products are not used for livestock feed, and
 - No measurable residues of pesticides remain in ethanol by-products that are used for agronomic practice.⁵
- Ensure that blanding equipment is functioning properly in accordance with
- This compound is highly toxic to bees exposed directly (contact):

(as applicable):

⁵ This statement is really directed to commercial seed treaters. Is there an alternative venue to relay this requirement as it does not apply to farmers?

STATEMENTS TO RETAIN ON SEED TAG/BAG

STATEMENTS WE FEEL SHOULD NOT BE ON THE SEED TAG/BAG

- E-fate related statements, for example: This product contains X that is known to leach through soil into groundwater under certain conditions as result of agricultural use. Use of this product in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.
- Do not use augers used for handling treated seed to move seed for feed, food or oil production.
- "and a seed" in the use directions and seed tag tag: "If seed size is XX season
- apply more than a total of X or (Y gram) (active ingredient) per acre per crop
- Regardless of the type of application (seed treatment, soil or foliar), do not

THE SEED TAG/BAG

STATEMENTS WE FEEL SHOULD NOT BE ON

STATEMENTS WE FEEL SHOULD NOT BE ON THE SEED TAG/BAG

- Regardless of the type of application (seed treatment, soil or foliar), do not apply more than a total of **X** or (**Y** gram) (active ingredient) per acre per crop season.
- “mg a.i./seed” in the use directions and seed bag tag: “if seed size is **XX** seeds/lb. (**XXY** lbs./U), **ZZ** fl oz. a.i./cwt. would provide **YY** mg a.i./seed.”
- After seeds have been planted, do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of X hours. Exception: Once seeds are planted and covered by soil or other planting media, the Worker Protection Standard (WPS) allows workers to enter the treated area without restriction.
- E-rate related statements, for example: This product contains X that is known

THE SEED TAG/BAG

STATEMENTS WE FEEL SHOULD NOT BE ON

Conclusions

1. Harmonized Statements:

- a. It will allow additional time for stakeholders to implement seed tag language
- b. Be concise and targeted to intent audiences
- c. Be consistent amongst registrants

2. Adopt final text on a guidance document and/or added to the EPA Label Manual.

In three years (3/26/11 to 3/26/14) there were 661 complaint samples entered. Of those 661, 62 samples contained treatment.

Date Received	Federal Sample Number	Labeled Kind	Labeled Variety	Lot Number	Sender's Mark	State	Test Requested	Treatment
4/12/2011	AA07331	PERENNIAL RYEGRASS	Shining	L144-10-3SIGPR08G	10-11-0569-GI	TEXAS	NT	Apron-XL
5/3/2011	AA07491	RED CLOVER	Kenland	S0143-U17-6-CGV-1	11-041248	MISSOURI	GE_1, PS	ALL-VANTAGE (coating?)
5/3/2011	AA07492	TALL FESCUE ANNUAL RYEGRASS	Rebel Gulf	L144-9-ZBSC11G	10-11-0534-GI	TEXAS	GE_1, PS	Apron-XL
5/10/2011	AA07543	ANNUAL RYEGRASS TALL FESCUE	Gulf Rebel	L144-9-ZBSC12G	10-11-0563-GI	TEXAS	GE_1, PS	Apron-XL
5/10/2011	AA07544	TALL FESCUE ANNUAL RYEGRASS	Rebel Gulf	L144-9-ZBSC116	10-11-0564-GI	TEXAS	GE_1, PS	Apron-XL
5/16/2011	AA07603	JAPANESE LAWNGRASS	Zenith	15SPI-ZZM06	A-11-O-02590	GEORGIA	NT	Apron
5/17/2011	AA07611	LADINO CLOVER	Regal	LOG-1310	O11-0327	KENTUCKY	GE_1, PS	ALL-VANTAGE (coating?)
5/18/2011	AA07616	COMMON WHEAT	Branson	ME-02506TM	O10-1419	KENTUCKY	GE_1, PS	Storcide II, Metalaxyl, Chlorpyrifos
5/18/2011	AA07620	COMMON WHEAT	Branson	ME-92509TM	O10-1418	KENTUCKY	NT	Chlorpyrifos, Metalaxyl

5/23/2011	AA07681	TALL FESCUE	Kentucky 31	93032GGR	A201002098	PENNSYLVANIA	GE_1, PS	Apron-XL
5/25/2011	AA07685	PEANUT	Perry	33681	636742	NORTH CAROLINA	NT	Trilex
6/7/2011	AA07791	SORGHUM	Hegari	11152	10-11-1586-GI	TEXAS	NT	Storcide II, Captan 400
7/19/2011	AA08141	TALL FESCUE	PENN 1901,Rebel	L144-9-SIGTF03G	A-11-O-01866	GEORGIA	GE_1, PS	Apron
7/19/2011	AA08142	TALL FESCUE	Virtue	061SCTF10G-12	A-11-O-02108	GEORGIA	GE_1, PS	Apron
7/19/2011	AA08143	TALL FESCUE	Kentucky 31	92106GGR	A-11-O-02373	GEORGIA	GE_1, PS	Apron
7/19/2011	AA08144	SUNFLOWER	FTB-CL	966075	A-11-O-02143	GEORGIA	GE_1, PS	Apron, Maxim
8/9/2011	AA08305	PERENNIAL RYEGRASS CHEWINGS FESCUE KENTUCKY BLUEGRASS	Applaud II,1G 7-Seas Midnight,Mallard	03SMTMW05G	O11-1020	KENTUCKY	GE_1, PU	SmartSeed w/MycoAdvantage, Pennkoted
8/9/2011	AA08326	SUNFLOWER	not given	BATCH 10191820	O11-1118	KENTUCKY	NT	Cruiser Maxx
8/9/2011	AA08327	SORGHUM-	FFR-211A	4SSL3009	O11-1147	KENTUCKY	GE_1, PS	Storcide II, Captan
8/9/2011	AA08328	SORGHUM-	Super Sugar	IL2126 (7223)	O11-1262	KENTUCKY	GE_1, PS	Storcide II, Captan
8/10/2011	AA08333	ANNUAL RYEGRASS PERENNIAL RYEGRASS	Gulf Arctic Green	03KG23G	A201002409	PENNSYLVANIA	NX, PU	Apron XL/LS

10/27/2011	AA08817	BERMUDAGRASS	blank	523-15-H62.CTD	A-11-O-02898	GEORGIA	GE_1, PS	ALL-VANTAGE (coating?)
1/6/2012	AA09263	COMMON WHEAT	085803	B114B15M	O11-1428	KENTUCKY	GE_1, PS	Dividend-Extreme
1/6/2012	AA09268	TALL FESCUE KENTUCKY BLUEGRASS	Greystone, Virtue Ridgeline	03SMTFB04G	O11-1536	KENTUCKY	GE_1, GE_2, PS	Mycoadvantage
1/6/2012	AA09269	TALL FESCUE	Justice, Greystone,	13SPI-SSTF01	O11-1535	KENTUCKY	PU	Mycoadvantage
2/10/2012	AA09506	HAIRY VETCH	blank	W6-10-HV191CTD	11-12-0405-GI	TEXAS	NT	Apron XL/LS
2/10/2012	AA09507	HAIRY VETCH	blank	W6-10-HV191CTD	11-12-0514-GI	TEXAS	NT	Apron-XL
2/10/2012	AA09513	COMMON WHEAT	TAM 112	950H	11-12-0751-GI	TEXAS	NT	Chlorpyrifos
4/10/2012	AA09705	SOYBEAN	RJS46002	B122B4M	O12-0160	KENTUCKY	GE_1, PS	Thiram, Metalaxyl, Ipconazole, Imidacloprid
4/18/2012	AA09760	WATERMELON	Proxima (F1	AF2708	26JEL	ARKANSAS	GE_1, PS	Captan, Delsene, Vitavax
4/18/2012	AA09761	WATERMELON	Mini Evolution (F1	BC1473M	25JEL	ARKANSAS	NT	Captan, Delsene, Vitavax
6/13/2012	AA09985	SORGHUM	81F	DG22021C	T-12-O-01584	GEORGIA	NT	Concep
6/21/2012	AA09991	TALL FESCUE ANNUAL RYEGRASS	Rebel IV, Prospect Gulf	L144-10-ZBSC11G	11-R0008	NEW MEXICO	GE_1, PS	Apron-XL
9/25/2012	AA10197	TALL FESCUE	Kittyhawk	J1300101	A201200024	PENNSYLVANIA	PU	Polymer

10/1/2012	AA10213	JAPANESE LAWN GRASS	Zenith	THE DIRTY GARDENER	61321	GEORGIA	NT	Sodium Hydroxide
10/9/2012	AA10263	TALL FESCUE RED/CHEWINGS/HARD/S	Durana Oracle, Shadow II	03SIGDSN13G	121784	INDIANA	GE_1, GE_2, PS	Mefenoxam
11/5/2012	AA10363	COMMON WHEAT	Branson	603-1121	122097	INDIANA	GE_1, PS	Dividend-Extreme, Difenoconazole
12/4/2012	AA10499	ALFALFA	A 5225	17531B	12-112344	MISSOURI	NT	Nitragin Gold, Apron-XL
12/26/2012	AA10641	RYE	Wrens Abruzzi	K0054 06 1355	K0054 06 1355	Knoxville Seed and Greenhouse Supply Corp.	NT	Malathion
4/24/2013	AA11127	SORGHUM-	SS220 BMR	17165	T-13-O-01763	GEORGIA	GE_1, PS	Lorsban, Captan
5/2/2013	AA11179	PEANUT	Valencia	CERT C 12	T-13-O-01408	GEORGIA	PU	Trilex, Thiram, Allegiance
5/13/2013	AA11249	FIELD CORN	X57537.WP.2	11031375	O13-0888	KENTUCKY	GE_1, PS	Thiamethoxam, Thiabendazole, Mefenoxam, Fludioxonil, Azoxystrobin, Abamectin
7/3/2013	AA11515	PERENNIAL RYEGRASS KENTUCKY BLUEGRASS RED/CHEWINGS/HARD/S	Pennington Ridgeline 7-Seas, Razor	ME12WNT012	132394	INDIANA	PU	Mycoadvantage (inoculant), Cytokinin
7/3/2013	AA11517	RYEGRASS KENTUCKY BLUEGRASS	Arctic Green, Gulf Palouse	MB12WFK005	132142	INDIANA	FL, GE_1, PU	Apron XL/LS

7/9/2013	AA11534	ALFALFA	A 5225	17531B	13-062146	MISSOURI	GE_1, PS	Nitragin Gold, Apron-XL
7/15/2013	AA11549	SORGHUM	SL Silage 600	SS-10030	T-13-O-02116	GEORGIA	GE_1, PU	Storcide, Captan
7/24/2013	AA11556	SORGHUM-	Haymaker	17207	13-062159	MISSOURI	GE_1, PS	Visually appears treated.
8/7/2013	AA11583	TALL FESCUE RED/CHEWINGS/HARD/S KENTUCKY BLUEGRASS PERENNIAL RYEGRASS	Variety Not Stated Varieties Not Variety Not Stated Variety Not Stated	SAMPLE - NOT FOR SALE	13-023	MINNESOTA	NT	Hydration/Mycorrhiza Pkg
8/22/2013	AA11686	RESCUEGRASS	Persister	A8099 (Y831)	O13-1498	KENTUCKY	GE_1, PS	Tilt EC
11/4/2013	AA11946	RED/CHEWINGS/HARD/S PERENNIAL RYEGRASS KENTUCKY BLUEGRASS	Cascade,Boreal Nexus Newport	5002-2068	131787	INDIANA	GE_1, PS	Dyna-Coat (coating)
11/4/2013	AA11948	COMMON WHEAT	WB-112	LWI-215W	131933	INDIANA	GE_1, PS	Chlorpyrifos, Difenconazole
11/22/2013	AA12046	TALL FESCUE	Justice,Penn	L144-OE12WIQ005	O13-1540	KENTUCKY	GE_1, PS	Mycoadvantage (inoculant)
11/22/2013	AA12047	TALL FESCUE KENTUCKY BLUEGRASS	Quest,Stonewall Beyond	130001-3	O13-1541	KENTUCKY	GE_1, GE_2, PU	Nitragin
11/22/2013	AA12049	TALL FESCUE	Inferno,Quest,Ston	80012	O13-1577	KENTUCKY	GE_1, PS	Nitragin
11/22/2013	AA12050	TALL FESCUE KENTUCKY BLUEGRASS	Quest,Stonewall Everest	130055-3	O13-1654	KENTUCKY	GE_1, PU	Nitragin

11/22/2013	AA12051	TALL FESCUE KENTUCKY BLUEGRASS	Quest, Stonewall, In Bedazzled	130042-3A	O13-1716	KENTUCKY	GE_1, GE_2, PU	Nitragin
11/22/2013	AA12054	PERENNIAL RYEGRASS KENTUCKY BLUEGRASS RED/CHEWINGS/HARD/S	Nexus XD, Accent Action Aruba, J5	80027	O13-1823	KENTUCKY	GE_1, GE_2, PS	Nitragin
11/22/2013	AA12068	TALL FESCUE KENTUCKY BLUEGRASS	Inferno, Quest, Ston Everest	130045-3A	O13-1862	KENTUCKY	GE_1, PS	Nitragin
11/22/2013	AA12076			13020733	O13-1864	KENTUCKY	GE_1, GE_2, PU	Polymer, Nitragin
11/22/2013	AA12077	TALL FESCUE	Inferno, Quest, Ston	80012	O13-1915	KENTUCKY	GE_1, PS	Nitragin
11/22/2013	AA12078	TALL FESCUE	Inferno, Quest, Ston	80004	O13-1916	KENTUCKY	GE_1, PS	Nitragin
10/28/2013	AA12514	BERMUDAGRASS	Transcontinental, P	58081	011485	CALIFORNIA	NT	Apron-XL

